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United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

APHIS 41-35-065

# Animal Welfare Report

## Fiscal Year 1999

Report of the Secretary of Agriculture  
to the President of the Senate and  
the Speaker of the House of Representatives



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Each year, the Secretary of Agriculture reports on administration and enforcement activities under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the AWA. The present report covers fiscal year (FY) 1999, from October 1, 1998, through September 30, 1999.

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    Intermediate Handlers*

# LETTER FROM THE SECRETARY: PLANS FOR PETS AND IMPLEMENTING INNOVATIONS

In September 1999, Hurricane Floyd wreaked havoc up the east coast of the United States, not only for people, but for animals too. Millions of animals—including livestock, pets, and those in facilities regulated by the U.S. Department of Agriculture (USDA)—were killed, injured, lost, or affected in other ways during the storm and the aftermath of flooding.

The events surrounding Floyd brought to light the need for an emergency plan for owners of pets and animals used in businesses regulated under the Animal Welfare Act (AWA). Representatives from the Animal Care (AC) staff of USDA's Animal and Plant Health Inspection Service (APHIS) have begun meeting with veterinary and animal welfare organizations to develop such emergency plans.

This is only one example of AC's efforts in fiscal year (FY) 1999 to ensure the welfare of animals. Several of the initiatives supporting the AWA are worth noting.

In FY 1999, a team including AC, APHIS' Investigative and Enforcement Services, and USDA's Office of the General Counsel was selected to receive Vice President Gore's Hammer Award for Reinventing Government

for their innovative enforcement efforts. These efforts include redirecting fines to activities that will improve the well-being of animals, such as facility improvements, employee training, and research on animal health and welfare issues. When facilities do not show an interest in coming into compliance, stringent enforcement actions are taken. These efforts are described in the Enforcement Highlights section of this report.

AC assembled a team to revise the animal welfare program's strategic direction. The team was reestablished in July 1999 and expects to publish the new strategic plan early in the summer of 2000.

We also began developing a position statement on the inadvisability of keeping large wild and exotic cats as pets. Although USDA does not regulate these animals as pets, we have seen the tragic consequences to animals and people when big cats are kept in private homes.

AC's risk-based inspection system and innovative enforcement methods are still improving the welfare of regulated animals. Inspections are able to focus more on those facilities needing the most oversight.

Enforcement outcomes are of more benefit to the animals through case settlements where, for example, fines are directed toward training and handling programs, improving facilities, or research in animal care issues. Several major settlements are described in this year's report.

We also pursued several regulatory and policy issues to strengthen the protection we provide animals covered by the AWA. Policies include space requirements for animals kept by traveling exhibitors, necropsy requirements, and a clarification of when agricultural animals are regulated. We published our decision on redefining "retail pet store" and licensing wholesale dealers of hunting, security, and breeding dogs, as petitioned by the Doris Day Animal League. In FY 1999, AC also completed work on the perimeter fencing rule, which was published at the beginning of FY 2000.

These efforts, and many others, were part of another year of AC's progress in protecting animals covered under the AWA more effectively and more efficiently. We hope you find the information in this report helpful in providing a comprehensive perspective on our initiatives and accomplishments.

Sincerely,

DAN GLICKMAN  
Secretary of Agriculture  
Washington, DC

# THE AWA: A LEGISLATIVE AND REGULATORY HISTORY

## The Law

In 1966, Congress enacted Public Law (P.L.) 89–544, known as the Laboratory Animal Welfare Act. This law regulated dealers who handle dogs and cats, as well as laboratories that use dogs, cats, hamsters, guinea pigs, rabbits, or nonhuman primates in research.

The first amendment to the Laboratory Animal Welfare Act was passed in 1970 (P.L. 91–579) and changed the name of the law to the Animal Welfare Act (AWA). This amendment authorized the Secretary of Agriculture to regulate other warmblooded animals when used in research, exhibition, or the wholesale pet trade.

An amendment in 1976 (P.L. 94–279) prohibited most animal fighting ventures and regulated the commercial transportation of animals. Another amendment was added to the AWA in 1985 as the Improved Standards for Laboratory Animals Act, which was part of the Food Security Act. These amendments required the Secretary to issue additional standards for the use of animals in research.

In 1990, provisions concerning injunctive relief and pet protection were added to the AWA. These two provisions were included in the Food, Agriculture, Conservation and Trade Act of 1990. The injunctive relief provision authorizes the Secretary to seek an injunction to stop certain licensed entities from continuing to violate the AWA while charges are pending. (Injunctions are used in cases of stolen animals and where an animal's health is in serious danger or may become endangered.)

The pet protection provision mandated that the Secretary issue additional regulations pertaining to random-source dogs and cats. (Random source means "dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his or her premises.")



## The Regulations

The U.S. Department of Agriculture (USDA) is charged with developing and implementing regulations to support the AWA. These regulations, which appear in Title 9, Code of Federal Regulations (CFR), Chapter 1, Subchapter A, Parts 1–3, require the licensing of animal dealers, exhibitors, and operators of animal auction sales where animals regulated under the AWA are sold. (Birds and laboratory rats and mice are not currently included in the regulations.)

Licenses are valid unless the licensee terminates the license voluntarily or fails to renew it or an administrative law judge suspends or revokes the license in an enforcement proceeding. Licensing fees for dealers and exhibitors are determined by a graduated schedule listed in the regulations [9 CFR 2.6(5)(c)]. Dealers pay between \$30 and \$750, and exhibitors pay between \$30 and \$300 per year. These fees are deposited as miscellaneous receipts in the U.S. Treasury.

The regulations also require all carriers, intermediate handlers, and exhibitors not subject to licensing and all non-Federal research facilities using animals to register with the Secretary of Agriculture. There is no

charge to register. Table 1 in the appendix provides a list of the number of licensees and registrants for each State in the country and Guam, Puerto Rico, and the U.S. Virgin Islands.

All licensees and registrants must provide their animals with care that meets or exceeds USDA's standards for veterinary care and animal husbandry. These standards include requirements for handling, housing, feeding, sanitation, ventilation, shelter from extreme weather, veterinary care, and separation of species when necessary.

Over the years, USDA has made substantive changes to the AWA regulations. In the late 1980's, USDA amended the requirements pertaining to the use of animals in research. In response to the Improved Standards for Laboratory Animals Act, these amendments established standards for the exercise of dogs and psychological well-being of nonhuman primates. The amendments also set standards to minimize the pain and distress of animals; ensure the proper use of anesthetics, analgesics, and tranquilizers; and require researchers to consider alternatives to painful procedures.

To ensure that these standards are met, the amendments require each research facility to establish an Institutional Animal Care and Use Committee to approve and monitor all research conducted at the institution. USDA published the final regulations for Parts 1 and 2 of Title 9, CFR, Chapter 1, Subchapter A, on August 31, 1989; those for Part 3 were published on February 15, 1991.

USDA published revised standards for guinea pigs, hamsters, and rabbits in final form in the Federal Register on July 15, 1990. These standards increased the minimum space requirements for cages and provided additional requirements to protect animals being transported via common carrier.

In 1993, USDA established holding periods for animals in pounds and shelters and certification requirements to ensure that animals have been held for the duration of these periods. The regulations were published as a final rule on July 22, 1993, and became effective August 23, 1993.

In 1997, USDA published a final rule that removed the provisions allowing the permanent tethering of dogs as a means of primary enclosure. The temporary tethering of dogs for health or other reasons is permitted if licensees obtain approval from their AC inspector or regional office. The final rule on this matter went into effect September 12, 1997.

In FY 1998, APHIS published new rules that further increase the protection for animals covered under the AWA. AC amended the AWA standards pertaining to wire flooring for dogs and cats and revised the AWA temperature requirements, which included clarification of climatic conditions for housing facilities, conveyances used for transportation, and holding areas at airport terminal facilities.

In FY 1999, APHIS published and developed several more rules, policies, and other tools to better protect animals under its purview:

- A draft policy on the psychological well-being of nonhuman primates was published for public comment. More than 230 comments were received by the closing date. At the end of FY 1999, AC was reviewing and considering comments. The purpose of the policy is to clarify existing regulations by providing a specific means for reporting on environmental enhancement programs.
- In June 1990, USDA began regulating horses used for biomedical or other nonagricultural research and other farm animals used for biomedical or other nonagricultural research or for nonagricultural exhibition. Currently, the standards in Title 9, CFR, Chapter 1, Subchapter A, Part 3, Subpart F, apply. In March 1999, APHIS requested comments on adopting two existing guides for facilities to meet standards in the regulations as they apply to the handling, care, treatment, and transportation of these animals. The guides are the "Guide for the Care and Use of Agricultural Research and Teaching," published by the Federation of American Societies of Food and Science, and the "Guide for the Care and Use of Laboratory Animals," published by the Institute of Laboratory Animal Research. APHIS has received comments and expects in FY 2000 to publish its decision on whether or not to adopt these guidelines.
- During FY 1999, APHIS completed its review of more than 400 comments regarding current best practices for training and handling of potentially dangerous wild and exotic animals. An APHIS working group has recommended a policy to management that is expected to be published early in 2000 to notify the public and regulated parties, and to allow them to comment. A public meeting is scheduled during this comment period to allow interested parties another way to engage in dialog with APHIS regarding this issue before implementation.
- In July 1999, APHIS published its final decision to not change the definition of "retail pet store" as requested in a petition by the Doris Day Animal League. APHIS did decide to license wholesale dealers of hunting, security, and breeding dogs, as the petition requested. APHIS received more than 48,000 comments regarding these issues.
- APHIS also worked in FY 1999 to develop a position statement regarding large wild and exotic cats as pets. Although APHIS does not regulate these animals as pets, we have seen a great amount of harm to humans and animals that can happen when they are kept as such.
- APHIS prepared a final rule on perimeter fencing requirements for animals covered under the AWA, with emphasis on wild and exotic animals. The requirements are designed to better contain the regulated animals and keep out unwanted animals. The final rule is to be published in early FY 2000.
- In February 1999, APHIS published for comment a proposed rule based on the consensus language regarding marine mammal regulations (subpart E). This language was derived from the negotiated rulemaking committee of stakeholders established under the Federal Advisory Committee Act. APHIS has reviewed the comments and expects to publish a final rule in FY 2000. Negotiations regarding these regulations were held in 1995 and 1996 to identify major stakeholders to participate in the committee.
- APHIS developed a comprehensive dealer inspection guide and issued it in April 1999 to AC employees to guide them in performing inspections and to better educate and inform regulated dealers.

# HOW USDA ADMINISTERS THE LAW

## Animal Care

Within USDA, APHIS' AC program is responsible for administering the AWA. AC's mission is to provide leadership in establishing acceptable standards of care and treatment and to monitor and achieve compliance through educational and cooperative efforts.

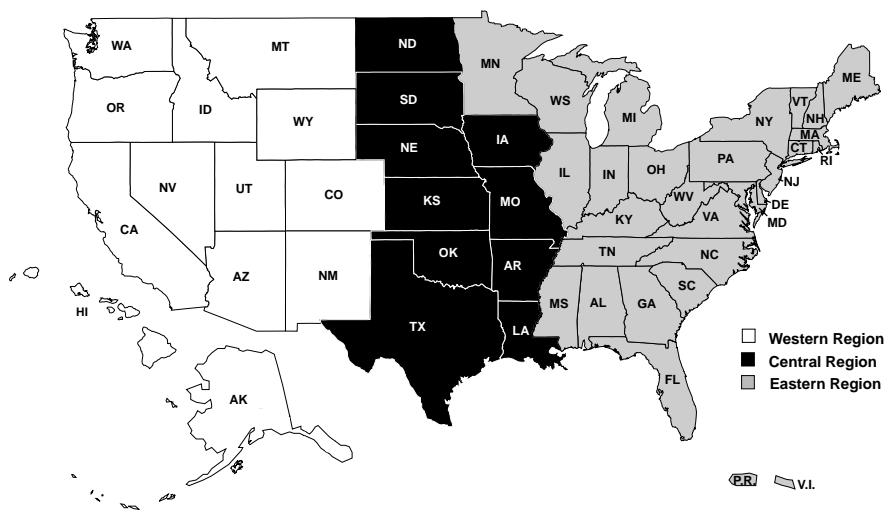
The AC program is headquartered in Riverdale, MD, and has three regional offices in Raleigh, NC, Fort Worth, TX, and Sacramento, CA. These offices are charged with enforcing the AWA in each of their respective areas. The map on this page shows AC's regional structure. The box provides the addresses, phone numbers, and fax numbers for all AC offices, as well as AC's home page on the World Wide Web and e-mail address for incoming correspondence.

Each regional AC office employs a cadre of field veterinary medical officers and animal care inspectors. The number of field inspectors at the end of FY 1999 was 65. These employees are highly qualified and have an excellent professional support system and communication network. Many also have specialized interest and expertise in such areas as the care of laboratory animals, zoo animals, or marine mammals.

In enforcing the AWA, APHIS inspectors work closely with other Federal agencies and frequently interact with regulated professional groups, industry organizations, humane groups, the scientific community, and other concerned associations or individuals. In FY 1999, AC personnel attended about 297 industry training sessions and meetings and gave presentations at 97 of them.

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<b>Central Region</b>	<b>E-mail</b>
P.O. Box 915004 (letters) 501 Felix St., Bldg. 11 (packages) Fort Worth, TX 76115-9104 Phone: (817) 885-6910 Fax: (817) 885-6917	ace@usda.gov

## ANIMAL CARE



## **AC's Management Team**

AC is led by Deputy Administrator Ron DeHaven, D.V.M. DeHaven was head of AC's Western Regional Office from 1989 until his move to AC headquarters in November 1996. Supporting DeHaven are three regional directors and an assistant deputy administrator: Dr. Elizabeth Goldentyer in the Eastern Region, Dr. Walter Christensen in the Central Region, and Dr. Robert Gibbens in the Western Region. In March 1999, Dr. Richard Watkins became the assistant deputy administrator for AC. All are veterinarians with many years of experience with AC and extensive knowledge regarding the AWA.

## **Investigative and Enforcement Services**

Complementing AC's efforts is APHIS' Investigative and Enforcement Services (IES) program. IES supports all APHIS programs in the goal of enhancing compliance with agency regulations. Toward this end, IES utilizes comprehensive investigations and sound enforcement actions. IES also works closely with USDA's Office of the General Counsel, other Federal agencies, State and local governments, and industry groups. IES is headquartered in Riverdale, MD, and has regional offices in Raleigh and Fort Worth.

## **AC Appropriations for FY 1999**

In FY 1999, the AC program received appropriations totaling about \$9 million for activities related to animal welfare. The next tabulation shows APHIS' animal-welfare-related appropriations for FY 1994–99 in unadjusted dollars.

## **Animal Welfare Information Center**

The National Agricultural Library's (NAL) Animal Welfare Information Center (AWIC) also supports AC's efforts. AWIC was established in December 1986 to provide valuable information pertaining to possible duplication of research involving animals, methods of humane animal care and use, alternatives to the use of live animals in research, and methods to minimize pain and distress to animals. AWIC also provides materials for the training of personnel and other products and services that support the administration and regulatory requirements of the AWA.

### **APPROPRIATIONS FOR ANIMAL WELFARE, FY 1994–99**

FY	Annual appropriation for enforcement of the Animal Welfare Act
1999	\$9,175,000
1998	\$9,175,000
1997	\$9,182,000
1996	\$9,185,000
1995	\$9,262,000
1994	\$9,262,000

### **USDA–NAL–AWIC**

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# INSPECTION HIGHLIGHTS

AC personnel perform three major types of inspections: prelicensing inspections, unannounced compliance inspections, and auction market observations.

To determine whether prospective licensees are in compliance with the AWA, AC personnel perform prelicensing inspections of dealers and exhibitors prior to granting them licenses. Preregistration inspections are not required under the Act, but many facilities request AC's consultation. Whenever possible, the program honors these requests to promote the highest level of compliance.

Unannounced compliance inspections are performed at the facilities of all licensees and registrants to ascertain whether they are operating within the regulations. The AWA requires that APHIS perform at least one compliance inspection per year at each research facility that uses animals in experimentation. For nonresearch facilities, APHIS uses a risk-based system to determine inspection frequency. This system is described in detail in the next section of this report.

If AC inspectors discover conditions that are not in compliance with the regulations, AC typically establishes a deadline for correcting these items. In conjunction with IES, AC immediately investigates any situations that may have caused unnecessary animal suffering or death. Inspectors are required to reinspect any facilities where areas of noncompliance are found that have, or are likely to have, an impact on the well-being of the animals. If the conditions remain uncorrected, AC documents them for possible legal action.

Auction market observations are conducted to determine whether animals covered under the AWA are receiving care that meets the standards and regulations. These observations are also performed to examine buyers' and sellers' acquisition and disposition records for AWA-regulated animals.



## *New Definition of "Site" Implemented*

In FY 1999, APHIS implemented a new definition of "site" for inspected facilities in which all facilities with the same geographic location are considered one site. Previously, a site was determined on a case-by-case basis by the inspector and the facility representative. This situation led to a wide range of inconsistencies between facilities. One research university might have 50–60 sites on 1 campus; another university of similar size and scope might have only 2–3 sites.

Now all facilities under one legal entity within a 35-mile radius are considered one site. The intention is that all the locations of one site can be inspected within a normal commuting distance. Under this definition, the universities in the examples above would likely have 1 site/campus.

This new definition of site has been helpful in many ways. It promotes increased consistency between individual inspectors and across AC's regions. With site determinations constantly changing, it was difficult to track in AC's data base who, what, or where was inspected at a site or facility. For example, Site 3 inspected today was not the same group of animals or at the same physical location as Site 3 at the last inspection of the same entity. Preparing for the transition to the new data base, AC wanted consistent site information to ensure accurate comparison of work accomplishments based on future measurements, such as number of inspections conducted at a site.

## **APHIS' Inspection Strategy: Quality Over Quantity**

In 1997, AC modified its inspection strategy. After 30 years of focusing on conducting as many inspections as possible, the program began performing more indepth inspections—particularly of those licensees and registrants who historically had compliance problems.

This new inspection strategy and other factors have resulted in a decrease in overall number of inspections since FY 1997 but a significant increase in the amount of time spent inspecting individual facilities. Each inspection of a facility with a history of compliance problems takes longer than a routine inspection of a compliant facility. Other factors affecting quantity include fewer inspectors employed by APHIS, the new definition of "site" as described earlier, and inspectors' spending more time in training. During FY 1999, AC inspectors received training on new computer systems, class A dealer inspections, and elephant training and handling.

Under the new strategy, AC has used its time to more carefully inspect licensees' and registrants' animals, structures, and records—an approach that APHIS firmly believes makes better use of AC's inspection resources.

To support this focused inspection strategy, AC implemented a formal risk-based inspection system in February 1998. This system uses several objective criteria, including past compliance history, to determine the inspection frequency of each licensed and registered facility.

Under the system, facilities that meet all of the criteria qualify for low inspection frequency and are subject to inspections once every 2–3 years. Facilities that meet few or none of the criteria qualify for high inspection frequency and are subject to inspections at least every 6 months. Those in the middle qualify for medium inspection frequency and are inspected once a year. AC remains committed to inspecting research facilities once a year, as required under the law.

The next tabulation details the number of inspections of licensees and registrants conducted during FY 1999. Subsequent tabulations chronicle the number of different types of inspections conducted from FY 1997 through FY 1999.

### **FY 1999 AWA INSPECTIONS**

	Total number of facilities (and sites) <sup>1</sup>	Number of inspections by category		Total number of facilities (and sites) <sup>1</sup>	Number of inspections by category
<b>Inspections for Compliance<sup>2</sup></b>					
Dealers	4,071 (4,208)	4,298	Prelicensing and preregistration inspections	NA	1,418
Research facilities	1,232 (1,644)	1,816	Auction market observations	NA	56
Exhibitors	2,293 (2,270)	2,591	Attempted inspections of dealers and exhibitors	NA	693
Intransit handlers	276 (432)	99	<b>Total</b>	<b>2,167</b>	
Intransit carriers <sup>3</sup>	86 (893)	292	<b>Total of Inspections for Compliance and Other Inspections</b>		<b>11,263</b>
<b>Total</b>	<b>7,958 (9,897)</b>	<b>9,096</b>			

<sup>1</sup> See the glossary of terms for the definitions of "facility" and "site," also explained in this section.

<sup>2</sup> Inspections for compliance are unannounced inspections and reinspections. These do not include prelicensing or preregistration inspections, auction market observations, or attempted inspections. (Prelicensing/preregistration inspections are announced. Observations of licensed and

unlicensed auction markets are made to locate unlicensed dealers. Attempted inspections could not be performed for certain reasons—usually because there was no one available at the facility when the inspector arrived unannounced.)

<sup>3</sup> Intransit Carriers is a category representing commercial airlines. Each airline may have two or more animal transportation sites at each airport it serves. Due to frequent changes in airline activities and other factors, the number of sites may vary.

## ***Summary of Complaints and Searches***

In addition to inspections, AC personnel routinely conduct searches for unlicensed or unregistered persons. AC also investigates all public complaints to determine whether regulated animals are receiving proper care and/or the animal owner(s) should be licensed or registered. APHIS regards these activities as critical to successful enforcement of the AWA and, in FY 1999, AC conducted more than 200 such inquiries.

## ***AC Inspectors Go Beyond the Numbers***

AC inspectors routinely do exceptional work that goes beyond the call of duty and is not reflected in the numbers above. The vignettes below describe two of these efforts.

- In September 1999, the Eastern Region Office in Raleigh, NC, worked with State officials during the flooding that followed Hurricane Floyd. A supervisory animal care specialist helped arrange for facilities to hold unclaimed pets. The regional director called USDA registered and licensed facilities to check up on their situations after the flooding.
- In the spring of 1999, a traveling marine-mammal exhibitor needed help placing its last sea lion because the business was no longer exhibiting. AC inspectors kept their eyes open for a facility that could house the animal. Our inspectors found the sea lion a permanent home with a zoo in Texas.

### **COMPLIANCE INSPECTIONS, FY 1997-99**

FY	Total facilities (sites)	Total compliance inspections
1999	7,968 (9,897)	9,096
1998	7,773 (10,393)	10,709
1997	7,819 (10,534)	12,057

### **AUCTION MARKET OBSERVATIONS, FY 1997-99**

FY	Total auction market observations
1999	56
1998	57
1997	77

### **PRELICENSING INSPECTIONS, FY 1997-99**

FY	Total	Dealers	Exhibitors
1999	1,418	991	427
1998	1,579	1,074	505
1997	2,150	1,525	589

# INSPECTIONS BY BUSINESS TYPE

## Animal Dealers

Dealers are individuals who sell regulated animals for research or teaching, wild or exotic animals for exhibition or as pets, or domestic pet animals in wholesale channels.

There are two classes of dealer licensees. Class A licensees are those individuals who deal only in animals that they breed and raise. Class B licensees may breed and raise some of the animals they sell but typically buy and resell animals. These dealers include brokers, operators of auction sales, and "bunchers."

The numbers of Class A and B licensed dealers and sites for FY 1997 through 1999 are listed in the next tabulation. The number of inspections conducted during the same period is shown on chart 1. It should be noted that, of the 1,085 Class B dealers, APHIS estimates that fewer than 35 supply dogs and cats to research.

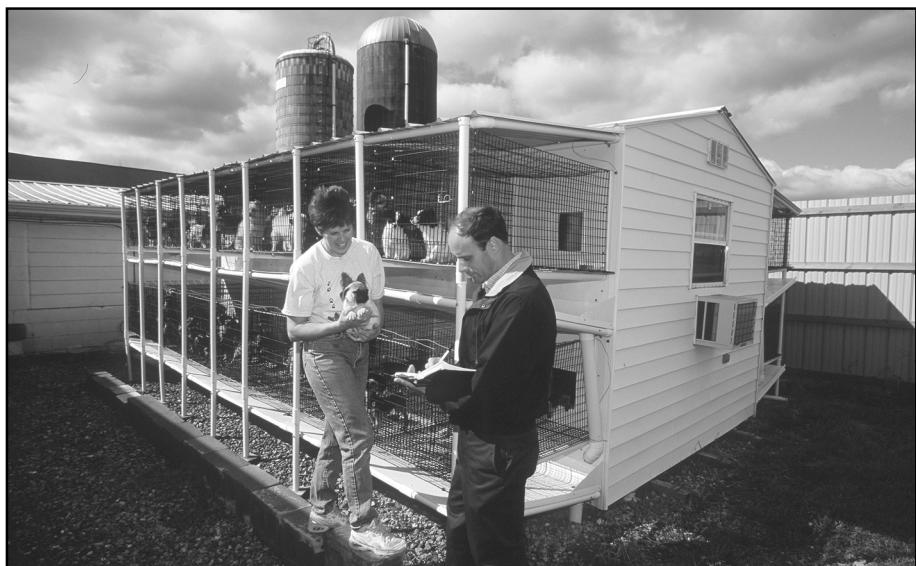
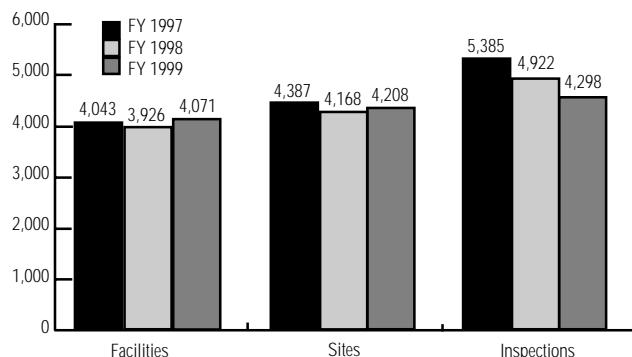


Chart 1

### A AND B DEALERS, FY 1997–99



Numbers from License and Registration Inspection System (LARIS) data base

### LICENSED DEALERS, FY 1997–99

FY	Total dealers (sites)	Class A dealers (sites)	Class B dealers (sites)
1999	4,071 (4,208)	2,986 (3,039)	1,085 (1,169)
1998	3,926 (4,168)	2,892 (3,024)	1,034 (1,144)
1997	4,043 (4,387)	2,996 (3,151)	1,047 (1,236)

## **Animal Exhibitors**

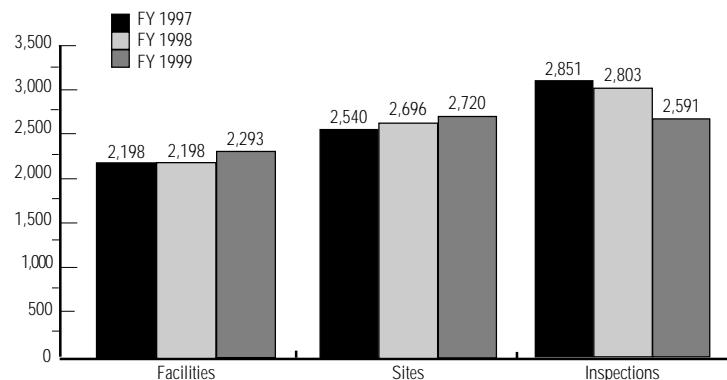
Animal exhibitors may either be licensed or registered under the AWA. Licensed exhibitors are those entities that either obtain or dispose of animals in commerce and exhibit them for compensation. Registered exhibitors do not buy, sell, or transport animals and do not accept compensation.

Licensed exhibitors typically operate animal acts, carnivals, circuses, public zoos, "roadside zoos," and marine mammal displays. Many of the animals exhibited are species not native to the United States (e.g., nonhuman primates and exotic cats), but exhibited species may also include domestic farm animals and wild animals native to this country.

Listed next are the numbers of exhibitors and sites regulated from FY 1997 through 1999. Chart 2 shows the number of inspections for the same period.

Chart 2

### **EXHIBITORS, FY 1997–99**



Numbers from Licensing and Registration Information System (LARIS) data base

### **REGULATED EXHIBITORS, FY 1997–99**

FY	Exhibitors		
	Total exhibitors (sites)	Licensed (sites)	Registered (sites)
1999	2,293 (2,720)	2,276 (2,701)	17 (19)
1998	2,198 (2,696)	2,178 (2,673)	20 (23)
1997	2,098 (2,540)	2,105 (2,510)	23 (30)

## ***Carriers and Intermediate Handlers***

Carriers registered with USDA include airlines, motor freight lines, railroads, and other shipping businesses. Registered intermediate handlers are ground freight handlers.

Intermediate handlers usually provide services for animals between consignor and carrier and from carrier to consignee. They also care for animals delayed in transit.

The numbers of sites and registered carriers and intermediate handlers for FY 1997 through 1999 are listed next. Chart 3 shows the number of carrier and intermediate handler inspections for the same period.

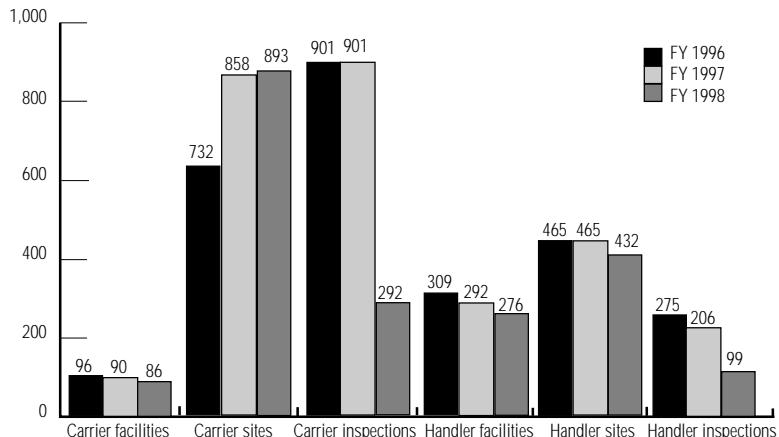


Chart 3

### **SITES AND REGISTERED CARRIERS AND INTERMEDIATE HANDLERS, FY 1997–99**

FY	Registered carriers (sites)	Intermediate handlers (sites)
1999	86 (893)	276 (432)
1998	90 (858)	292 (465)
1997	96 (732)	309 (465)

### **CARRIERS AND INTERMEDIATE HANDLERS, FY 1997–99**



Numbers from License and Registration Inspection System (LARIS) data base

## **Research Facilities**

Research facilities that use animals include hospitals, colleges and universities, diagnostic laboratories, and many private firms in the pharmaceutical and biotechnology industries.

All research facilities are required to comply with the AWA's regulations. Even though Federal facilities are not registered or inspected under the AWA, they are responsible for maintaining compliance with the AWA's regulations and standards. The AWA requires that non-Federal research facilities receive at least one inspection per year to determine compliance.

The next tabulation lists the numbers of research facilities and sites for FY 1997 through 1999. Chart 4 shows the number of inspections of research facilities conducted during this period.

### **REGISTERED RESEARCH FACILITIES AND SITES, FY 1997–99**

FY	Total facilities	Total sites
1999	1,232	1,644*
1998	1,267	2,206
1997	1,243	2,410

\*Decrease in number of sites is due primarily to new definition of "site" implemented in FY 1999.

## **Reports From Research Facilities**

Each research facility registered under the AWA and each Federal research facility is required to submit an annual report, signed and certified by the Institutional Official, covering the previous fiscal year. The report lists the number and species of animals used in research, testing, and experimentation and indicates whether pain-relieving drugs were administered. If such drugs were not administered for procedures that cause pain or distress, the report must explain why their use would have interfered with the research or experiment.

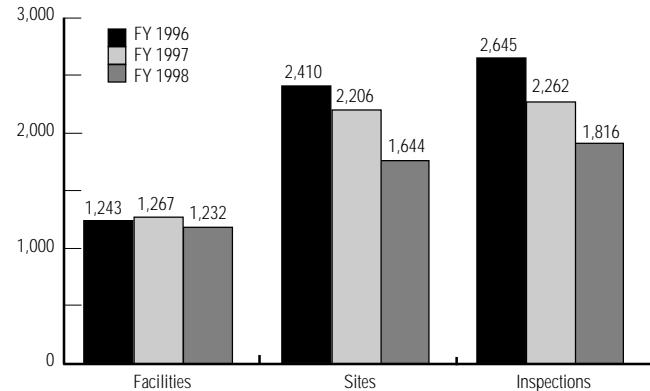
The report must also assure that professionally acceptable standards, including the appropriate use of pain-relieving drugs, were followed and that each principal investigator considered alternatives to painful or distress-causing procedures.

Moreover, the report must demonstrate that the facility adhered to the AWA regulations or that any exception to such adherence was justified by the principal investigator and approved by the Institutional Animal Care and Use Committee prior to experimentation.

Chart 5 shows the number and species of animals used in research during FY 1999. This number excludes birds and laboratory rats and mice, as well as farm animals used exclusively in agricultural research. Chart 6 shows the number of animals used in research that involved no pain or distress, or that involved pain or distress alleviated with drugs, or that involved pain or distress without relief because use of pain-relieving drugs would interfere with the results of the research or testing.

Chart 4

### **REGISTERED RESEARCH FACILITIES, TOTAL SITES AND INSPECTIONS, FY 1997–99**



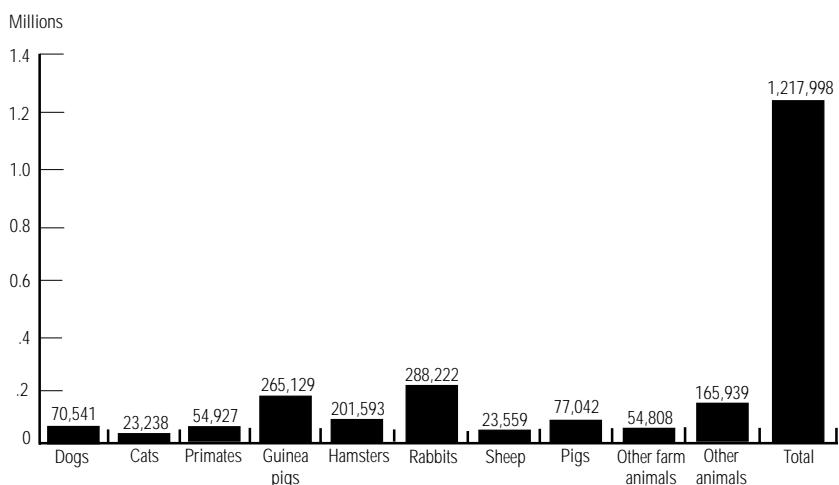
Numbers from Licensing and Registration Inspection System (LARIS) data base

Tables 1 through 5 of the appendix contain further details. Table 6 reports the total of animals used by research since this report was first published in 1973.

In FY 1999, there were 22 research facilities whose data are not included in this report because they either did not submit a report or submitted it too late for tabulation. Of these facilities, 5 were Federal facilities, and 17 were non-Federal. It is a violation of the AWA for a facility, whether active or inactive, not to submit a timely report. AC initiated the appropriate corrective actions.

Chart 5

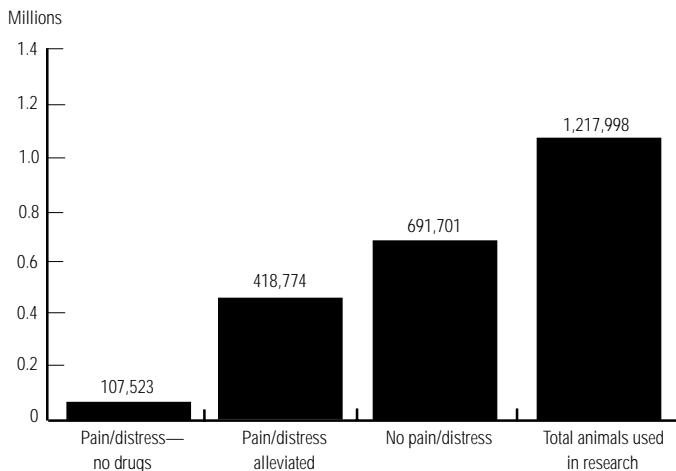
### **ANIMALS USED IN RESEARCH, EXPERIMENTS, TESTING, AND TEACHING, FY 1998**



Numbers from Licensing and Registration Inspection System (LARIS) data base

Chart 6

### **ANIMALS EXPERIENCING PAIN/DISTRESS, PAIN/ DISTRESS RELIEF, OR NO PAIN/DISTRESS DURING EXPERIMENTS, FY 1999**



Numbers from Licensing and Registration Inspection System (LARIS) data base

## ENFORCEMENT HIGHLIGHTS

APHIS' IES personnel investigate alleged violations when corrective measures have not been taken by licensees or registrants to come into compliance with the AWA.

Investigations disclosing violations are acted on in a variety of ways depending on their severity. Many infractions can be settled with an official notice of warning or a stipulation offer. (Stipulations allow alleged violators to pay a fine, have their license suspended, or both, in lieu of formal administrative proceedings.)

Cases warranting formal prosecution undergo Department-level review for legal sufficiency prior to issuance of a formal administrative complaint. Formal cases may be resolved by license suspensions, revocations, cease-and-desist orders, civil penalties, or combinations of these penalties through administrative procedures.



### ***APHIS' Enforcement Strategy Yields Results***

FY 1999 was another extremely successful year from an AWA enforcement perspective. The major reason for this success was AC and IES' two-pronged enforcement strategy.

For licensees and registrants who show an interest in improving the conditions for their animals, AC and IES actively pursue innovative penalties that allow the individuals to invest part or all of their monetary sanctions in facility improvements, employee training, research on animal health and welfare issues, or other initiatives to improve animal

well-being. In doing so, USDA enables the individuals to immediately improve the conditions for their animals while sending a clear message that future violations will not be tolerated. Prior to 1997, most such fines were either suspended or paid directly to the U.S. Treasury, but neither of those results directly improved the plight of the violators' animals.

On the other hand, for licensees and registrants who do not improve the conditions for their animals, AC and IES move swiftly and pursue stringent enforcement action. Such

action typically includes significant monetary penalties and/or license suspensions or revocations. It may also include confiscation of their animals and relocation to another facility if the animals are found to be suffering.

AC's strategy focuses on making the welfare of the animals the top priority in all enforcement actions. The examples that follow highlight cases from the past year that illustrate both components of AC and IES' enforcement strategy.

## ***Innovative Penalties***

- In FY 1999, USDA was selected to receive Vice President Gore's Hammer Award for Reinventing Government for its work in innovative enforcement. This includes functions such as the risk-based inspection system, in addition to the innovative enforcement strategy described above.
- In August 1999, APHIS settled a case with the registered research facility that held the largest chimpanzee colony of any facility in the United States. A \$100,000 fine was held in abeyance, provided that the facility meet a number of requirements, including transfer out 300 of its 650 chimpanzees, establish an external review team to evaluate its entire animal care program, and hire necessary veterinary staff to care for the animals currently there.
- In October 1998, APHIS settled a case with an airline, in which the airline agreed to donate \$25,000 to an APHIS-approved organization to research methods to promote the safe and humane handling of animals during transportation. The results of this research will be disseminated to all carriers registered under the AWA.

## ***Stringent Enforcement***

- In February 1999, USDA and the U.S. Attorney's Office in Oregon successfully prosecuted nine people for their roles in a pet-theft ring. Charges included providing false information concerning the suppliers of dogs sold into research. Two of the people were sentenced to 4 and 6 months of home detention plus a 1-year term of probation, and they agreed to be permanently disqualified from being licensed under the AWA. They were also prosecuted in the State Circuit Court for theft of companion animals.
- In November 1998, a USDA administrative law judge revoked the license of a Florida exhibitor of primates and fined her \$25,000 for violations of the AWA, including housing, handling, and recordkeeping. The judge determined revocation of her license to be in the best interest of the animals.
- In February 1999, a U.S. Circuit Court of Appeals upheld a USDA decision and order that included fining a Michigan animal exhibitor \$26,000 and revoking his license to exhibit under the AWA. The exhibitor was found to be guilty of several violations, some of which had been dropped in the original decision but reinstated by a USDA judicial officer during an appeal.

## ***The High-Priority Designation***

An important component of AC and IES' enforcement strategy is the high-priority designation for certain cases. Cases are deemed high priority based on the following criteria:

- Severity of animal suffering (death or severe injury),
- Past compliance history of facility,
- Potential public or animal safety or health concerns,
- Abusive or potentially violent nature of licensee or registrant,
- Type of facility and species of animal involved, and
- Severity of issue results in extensive public interest.

When a case is given this designation, AC, IES, and USDA's Office of the General Counsel put special emphasis on the investigation and enforcement of a case to expedite its resolution. This measure has been successful in shortening the timeframes of significant cases and providing quicker relief for animals protected under the AWA.

## **The Results Are in the Numbers**

Through this multifaceted enforcement strategy, the AC and IES staffs and the Office of the General Counsel have been able to virtually eliminate the backlog of AWA cases awaiting resolution through the formal administrative process. The results have been shorter timeframes for prosecuting cases and the ability to expedite high-priority cases.

In addition, APHIS obtained more than \$667,000 in monetary penalties. The agency required licensees and registrants to put more than \$70,000 of these penalties into facility renovations, employee training, and other areas to improve the conditions for their animals.

The next tabulation provides detailed information on the number of enforcement actions conducted and resolved during FY 1999. In the tabulation, it should be noted that "Cases Submitted," "Cases Resolved," and "Sanctions Imposed" are those actions that actually occurred during the fiscal year even though many of the settled cases were submitted in previous years. This numerical disparity occurs because it takes a case considerable time to work its way through the legal system and appeals process.

### **NUMBERS OF ENFORCEMENT ACTIONS CONDUCTED AND RESOLVED, FY 1996-98**

#### **Cases Investigated and Reviewed**

FY	Cases	Submitted to IES staff	Submitted for formal prosecution
1999	313	188	104
1998	456	416	60
1997	365	118	58

#### **Cases Resolved**

FY	Official warnings	Stipulations offered/settled	Administrative law judges' decisions
1999	143	89/79	28
1998	219	100/66	82
1997	167	86/4	98

#### **Sanctions Imposed**

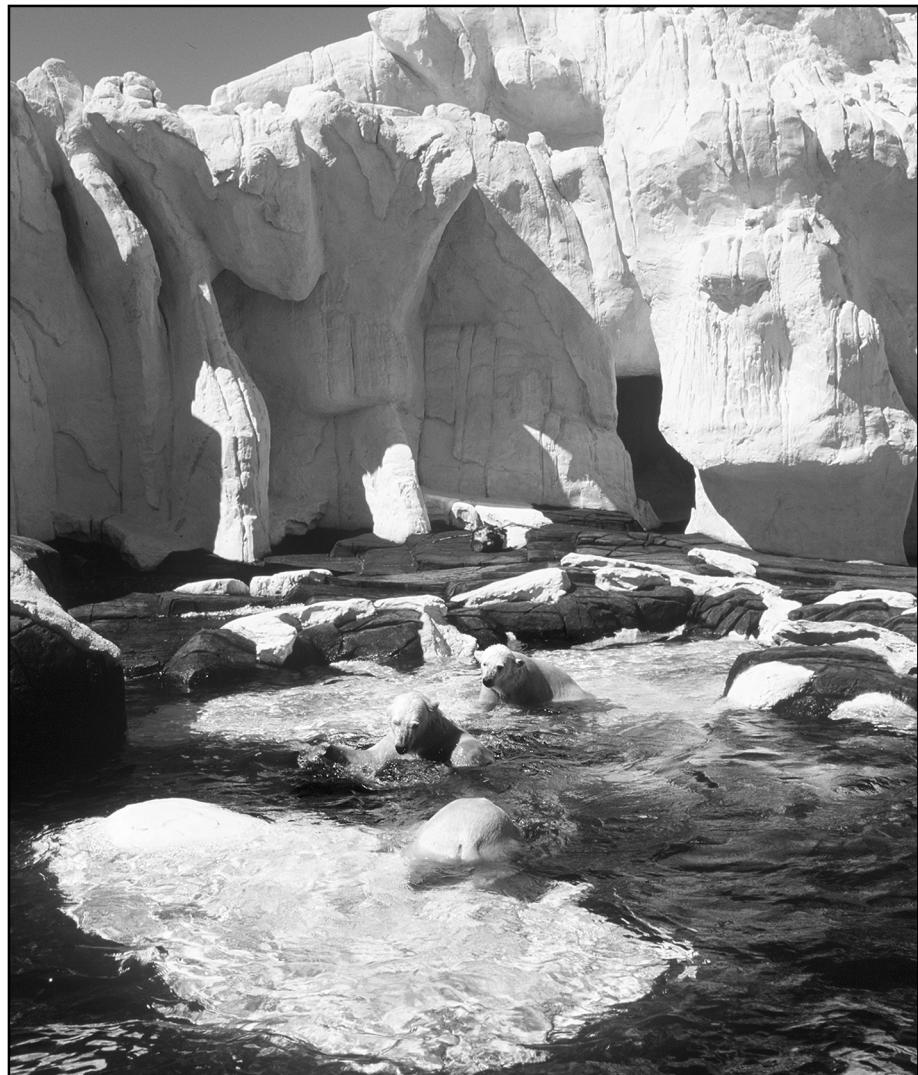
FY	Fines imposed by administrative law judges	Fines imposed by stipulation	Revocations, suspensions, and disqualifications
1999	\$585,162	\$82,152	16
1998	\$378,900	\$89,763	34
1997	\$822,200	\$46,240	43

## CHARTING THE FUTURE: AC'S STRATEGIC DIRECTION

In 1999, AC began updating its strategic direction for the animal welfare program. The original 1996 plan included horse protection, which is now under an individual plan. The strategic direction examines all aspects of program operations and identifies accomplishments and areas needing improvement. Areas focused on include enhancing statutory, regulatory, and procedural authorities; providing proactive leadership in establishing acceptable practices of animal care and treatment; maximizing resources for enhanced program delivery and efficiency; responding to external concerns and expectations through objective action; and empowering, supporting, and developing employees.

In FY 2000, AC will complete the new strategic direction and start implementation through a coordinated operating plan.

This section describes the progress of various initiatives launched from the strategic direction.



### *Performance-Based Management*

Under the mandate of the Government Performance and Results Act, AC has taken an active role in measuring its effectiveness in meeting the provisions of the AWA. The primary measure used in FY 1999 was the percentage of facilities in compliance with regulations. AC raised the overall level of facility compliance from 58 percent in FY 1998 to 59 percent in FY 1999. AC achieved this despite increased operational costs with no increase in appropriation. While 1 percent in 1 year seems a small gain, if that rate of improvement holds, in 10 years, 800 more

facilities will be in compliance. If this improvement occurs with other factors remaining constant, the welfare of thousands of animals would be significantly improved.

In FY 1999, the AC management team began developing several additional measures of program effectiveness. A customer satisfaction survey was conducted for regulated facilities in February 1997 and established a baseline level of satisfaction. Before repeating the facility survey, AC plans to survey animal welfare organizations.

## ***Elephant Training Remains a Priority***

With increasing attention focused on the care and handling of elephants in recent years, AC has made it a priority to provide special training to its personnel on these issues. In FY 1999, AC held a course at two exhibitor facilities in the San Diego area and the Tampa and Orlando areas. The course provided instruction on elephant care and handling to about 30 inspectors and other AC personnel, bringing the total number of employees trained to about 50. In FY 2000, AC will hold training in the Chicago–Milwaukee area for remaining staff to be trained.



## ***AC Begins Testing New Data Base***

At the end of FY 1999, AC began testing the new Licensing and Registration Information System (LARIS) data base. When completed, LARIS will provide a single storage center for licensing and inspection data on regulated parties throughout the United States.

Eventually, it will enable inspectors to enter data from remote locations using laptop computers. (Presently, inspectors type inspection reports and mail them to the regional offices, where support personnel reenter the data.)

To support this effort, the data base utilizes Windows™-based screens that guide users in their efforts to enter and retrieve information. The data base will also automate all of AC's forms. The result will be an efficient, easy-to-use system that should significantly reduce the resources needed to maintain records on regulated parties.

## ***Risk-Based Inspection System in Full Swing***

AC's risk-based inspection system utilizes several criteria to determine the inspection frequency for individual licensees and registrants. Results in FY 1999 show that inspections decreased at facilities with minimal problems, allowing AC to increase attention to

facilities needing the most guidance and oversight. This system is an integral part AC's efforts to improve operations. More details are provided in the "New Inspection Strategy: Quality Over Quantity" section earlier in this report.

## ***Dealer Inspection Guidelines Completed***

In May 1999, AC distributed comprehensive guidelines to its field personnel to use when conducting AWA inspections of animal dealers. These guidelines impose no new requirements on dealers; they are to assist AC personnel in their inspection efforts and to improve the uniformity of inspections

throughout the country. The guidelines cover such areas as how to document inspection findings and how to conduct exit interviews. We feel the guidelines will prove to be a tremendous help to new inspectors and a valuable reference document for seasoned inspectors.

## SPECIAL INITIATIVES

In FY 1999, AC pursued many operational enhancements that did not fall within the scope of its strategic direction. These projects all come under the broad rubric of special initiatives.

### ***AC Assists Pets Affected by Hurricane Floyd***

Hurricane Floyd, which pounded the east coast in September 1999, affected not only humans and livestock but pets as well. In the flight of evacuation, pets were lost, left behind, and separated from their owners. Some shelters were not equipped to handle animals, and fleeing pet owners did not know what to do with their dogs and cats.

At the end of FY 1999, USDA made plans to meet with disaster planners from The Humane Society of the United States, the American Humane Association, and the American Veterinary Medical Association in November to discuss how best to secure the well-being of pets in disasters. The meeting will allow USDA officials to examine the disaster strategies of various animal protection groups and discuss how the Department can work with companion animal owners before, during, and after times of crisis.

USDA issued a press release reminding pet owners to use APHIS' Missing Pet Network to help reunite them with their animals. The Missing Pet Network is an Internet site ([www.missingpet.net](http://www.missingpet.net)), created by an AC staff officer in 1996, that has free postings about lost and found pets, organized by State. We receive many reports of people being reunited with their lost pets through the network.



### ***Class B Dealer Traceback Continues Successes***

Since FY 1993, APHIS has conducted an intensive traceback effort on dogs sold by random-source, class B animal dealers. These dealers, who supply animals to the research community, typically obtain them from pounds and shelters, pet owners who wish to relinquish ownership, and other legitimate sources. However, there has always been concern that some of these dealers may be trafficking in stolen animals.

Under the AWA, random-source dealers are required to maintain accurate records of the acquisition and disposition of their animals. APHIS' traceback effort has focused on making sure these records are accurate and complete. To optimize this effort, APHIS has conducted quarterly inspections of all random-source dealers since the traceback project went into

effect in 1993. AC has also taken stringent enforcement action when violations are found. Since 1993, this includes issuing more than \$500,000 in fines, suspending 5 licenses and revoking 12 more.

The fruits of this effort have been tremendous. From FY 1993 through 1999, the percentage of animals traced back to their original source has increased from a little more than 40 percent to nearly 95 percent. At the same time, the number of random source dealers has decreased from more than 100 to fewer than 35. Moreover, the number of class B dealers under investigation has decreased from a high of 260 in 1992 to fewer than 5 in FY 1999.

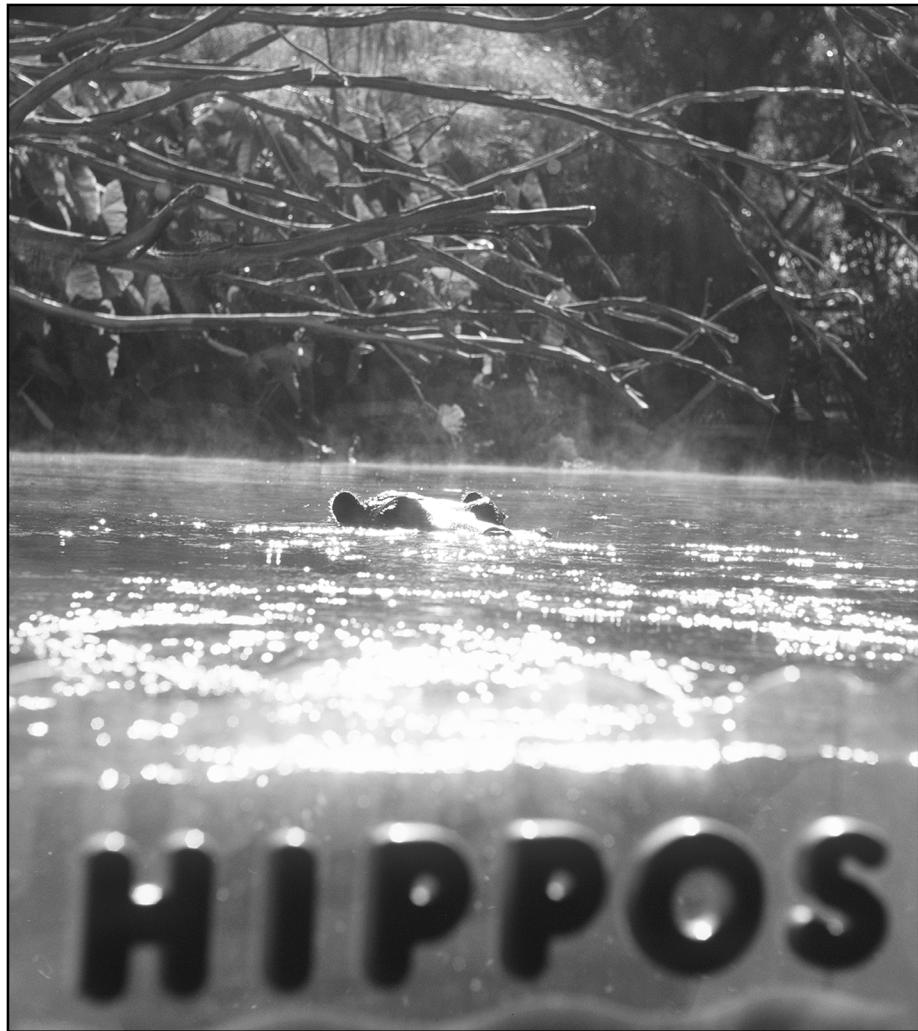
## **Data Base of Circus Elephants Developed**

In January and February 1998, a team of AC field members inspected all circuses throughout the United States that use elephants. The team completed formal inspection reports, took photographs of the elephants, and filled out evaluation forms containing specific information on such things as the condition of the elephants' feet. AC used this information to develop a profile on each circus elephant and has compiled these profiles into a single data base. This data base has proven to be a useful resource to AC field personnel when inspecting circuses.

## **Primate Import Workgroup Established**

In FY 1998, AC established a workgroup to improve APHIS' oversight of shipments of imported primates. This group worked with the U.S. Fish and Wildlife Service (FWS) and the Centers for Disease Control and Prevention (CDC) to coordinate oversight activities, improve information sharing between agencies, and avoid duplication of efforts. For example, FWS and CDC officials agreed to provide APHIS with information on importers' compliance histories and dates of future shipments.

In addition, AC agreed to work with CDC and FWS to address shipping and handling concerns with unregulated importers and transporters. A detailed set of procedures for inspection of such shipments of imported primates was developed and distributed through the regional offices. These procedures have clearly helped to improve oversight of shipments of imported primates.



## **Class A Dealer Workgroup Established**

In December 1997, AC formed a class A dealer workgroup to examine enforcement of the AWA at commercial breeding facilities throughout the country and make recommendations for improvement. The group is modeled on the highly successful approach that was used to improve enforcement of laws covering class B dealers over the past several years. The group's first meeting was in St. Louis in early December 1998. The team toured breeding facilities in the area and identified several possible ways to improve enforcement.

In spring 1999, AC trained field personnel on the inspection of dealer facilities, based on recommendations developed at the St. Louis

meeting. The goal of the training is to ensure uniformity of inspection procedures throughout the United States so that all dealers are required to provide the same level of care to their animals.

Another recommendation entails the development of a policy that spells out the minimum requirements for maintaining medical records for all covered animals. All AWA licensees, including dealers, would be required to follow the policy. At the end of FY 1999, the policy was being drafted for publication.

# PUBLIC OUTREACH

In FY 1999, AC carried out numerous outreach activities, including moving forward with its multiyear public affairs campaign to educate and inform all program stakeholders about the AWA and AC's role in enforcing the law. To support this effort, the program is upgrading all of its existing public affairs materials and producing new products where needed.

## ***AC Publishes Mission and Operations Brochure***

In order to better inform people about AC's mission and how we work, AC published a 12-page, full-color brochure entitled "Animal Care: Safeguarding the Welfare of Animals." This publication provides general information on the animal care and horse protection programs, regulations, and legislation. It also discusses developments in innovative enforcement and inspection processes, regulatory issues, and other issues AC expects to face in the future.

## ***AC Expands Distribution of Quarterly Report***

During FY 1999, AC continued to expand the distribution of its quarterly Animal Care Report, increasing the number of subscribers from about 1,700 to nearly 2,000, doubling its distribution from FY 1997. This report, which provides brief overviews on all key issues affecting AC's administration of the AWA, is mailed at no charge to program stakeholders to keep them up to date on current program initiatives. Editions of the report were prepared for winter–spring and spring–summer. The report is also posted on the AC home page ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)).



## ***Safe Pet Travel Campaign Continues***

AC's public affairs campaign on safe pet travel, which was launched in September 1997 to educate the general public about traveling with their pets, has disseminated thousands of pieces of informational materials. By the end of FY 1998, AC had distributed its entire press run of 20,000 copies of "Traveling With Your Pet," its full-color brochure. The program had also disseminated thousands of factsheets on safe pet travel and stickers labeled "Live Animals" that are designed to be placed on kennels to meet the AWA requirements.

Recipients of these materials have included members of the general public, veterinary clinics, travel agents, and State Veterinarians.

In FY 1999, AC made slight revisions to "Traveling With Your Pet" and printed another 40,000 copies. In addition to distributing the brochure through AC personnel and travel shows, AC posted the brochure to its Web page so that anyone with electronic access can view and download it ([www.aphis.usda.gov/oa/pubs/petravel.pdf](http://www.aphis.usda.gov/oa/pubs/petravel.pdf) or [.html](http://www.aphis.usda.gov/oa/pubs/petravel.html)). The new APHIS travel page ([www.aphis.usda.gov/travel/index.html](http://www.aphis.usda.gov/travel/index.html)) also provides a link to the brochure.

AC also began production in FY 1999 on a public service announcement about pet travel. This animated piece is expected to be distributed nationwide in the spring of 2000.

## **Automated Telephone Service Assists Travelers**

In FY 1999, more than 2,500 members of the general public used AC's toll-free, 24-hour, automated telephone voice response service (800-545-USDA). This service provides information on the humane handling of cats and dogs during transport, including the AWA requirements for temperature, shipping documents, food and water, and cage sizes. Designed to be user friendly, the service is recommended for inclusion in training courses for airline cargo handlers, ticket agents, and supervisors.

## **E-FOIA Gives Public Quick Access to Data**

Throughout FY 1999, AC continued to expand the amount of program information available on APHIS' FOIA Website ([foia.aphis.usda.gov](http://foia.aphis.usda.gov)). Under the project, AC has made the names and locations of all licensees and registrants available. It has also made recent inspection findings for these individuals available and will continue to add additional information in the future.

AC also responded to numerous animal-welfare-related FOIA requests the old-fashioned way. The next tabulation lists the number of FOIA requests received for the past 3 fiscal years.

### **ANIMAL-WELFARE-RELATED FOIA REQUESTS RECEIVED BY APHIS, FY 1997-99\***

FY	FOIA requests
1999	481
1998	657
1997	824

\*These figures include both official FOIA requests processed through APHIS' FOIA office and requests for inspection reports processed through AC's regional offices. Before FY 1997, all such requests were processed through the FOIA office at headquarters.

## **AC's New and Improved Website**

In February 1999, AC launched its new and improved Website ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)). The new site contains the same information as the old site but organizes it in a more logical and user-friendly way for both the general public and program stakeholders. One of the new features is the News and Information page. The page provides access to current issues affecting the program as well as AC press releases and APHIS' E-FOIA search engine. AC has also developed separate pages for Horse Protection Act and AWA information to help producers find exactly what they are looking for. Another new page details the mission and structure of AC.

In fall 1998, AC began posting annual reports it receives from research facilities to the Website. The action complied with a congressional mandate to make Federal Government documents available

electronically and was part of an ongoing APHIS and AC initiative to provide the public with access to agency records through the Internet. The posting started with reports from FY 1996 and FY 1997.

APHIS is aware that there are concerns about the posting of certain information to the Website, such as researchers' names and addresses, and is working, where possible, to address the situation. However, under the Freedom of Information Act (FOIA), APHIS may not arbitrarily remove information from agency records. More information is available in AC policy number 17, "Annual Reports for Research Facilities" ([www.aphis.usda.gov/ac/policy17.html](http://www.aphis.usda.gov/ac/policy17.html)) and the Spring-Summer 1999 issue of the Animal Care Report.

## **AC Takes a Position on Dangerous Pets**

In FY 1999, AC began developing its first position statement: Large Wild and Exotic Cats Make Dangerous Pets. The position statement differs from AC policies in that AC does not regulate what animals people may keep as pets. AC has seen through its experience what happens when people who are not trained to handle animals such as this try to keep them. The situation is dangerous for people and detrimental to the animals as well.

This first position statement will be released in February 2000 at the Animal Care Expo sponsored by The Humane Society of the United States. Other topics for position statements are being considered for development.

## ***Answering Public Inquiries***

During FY 1999, APHIS received and responded to thousands of inquiries about animal welfare from individual citizens, concerned groups, the Office of the President, and Members of Congress. Other Federal agencies also refer animal welfare concerns to APHIS for response. The next tabulation lists the number of animal welfare inquiries received by APHIS during FY 1997 through 1999.

### **ANIMAL WELFARE CORRESPONDENCE RECEIVED BY APHIS, FY 1997-99**

FY	Correspondence received/dispatched by headquarters	Correspondence received/dispatched by regional offices
1999	3,729	24,092
1998	2,495	22,280
1997	4,188	20,396

## ***Cooperating and Communicating With Stakeholders***

In FY 1999, APHIS and the research community cosponsored a research preceptorship program that sent two AC veterinarians to 6 intensive weeks of training at various research facilities and teaching institutions. This very successful program, which previously had been conducted at research facilities in the Northeast, moved to the Chicago area in FY 1999.

AC personnel also attended and participated in national meetings held by various organizations, including the International Association of Aquatic Animal Medicine, the American Zoo and Aquarium Association, the Society of Marine Mammalogy, the Association of Aquatic Life Support System Operators, the North American Veterinary Conference, the American Association of Laboratory Animal Science, the Applied Research Ethics National Association, Public Responsibility in Medicine and Research, and the Scientists Center for Animal Welfare.

In total, AC personnel attended more than 297 industry meetings and training sessions in FY 1999 and presented papers or informal talks at more than 97 of them. APHIS employees also

staffed an exhibit booth at several of these meetings to answer questions and provide information on AC's enforcement of the AWA.

In addition, AC personnel actively interacted with organizations concerned about the humane care of animals. These organizations include the American Zoo and Aquarium Association, the American Veterinary Medical Association, the National Association for Biomedical Research, Americans for Medical Progress, the American Association of Zoo Veterinarians, the Alliance for Marine Mammal Parks and Aquariums, the Association for the Assessment and Accreditation of Laboratory Animal Care International, and the Scientist's Center for Animal Welfare.

Additional cooperators include The Humane Society of the United States, the Animal Welfare Institute, the American Humane Association, the Animal Protection Institute, the Association of American Medical Colleges, and the Air Transport Association. AC is also represented in the United States Animal Health Association and has members on both its animal welfare and captive wildlife committees.

## ***Assisting the Media***

In FY 1999, AC assisted media officials in various ways. Altogether, the program fielded more than 1,200 calls from members of the media and issued more than 70 press releases. Most of these releases provided information concerning enforcement actions taken against licensees and registrants (such as settlements, fines, suspensions, and confiscations). The other releases concerned matters such as AC's request for comments on a draft policy on environmental enhancement for nonhuman primates and publication of final rules on perimeter fencing requirements.

AC personnel also gave numerous local and national television, radio, and newspaper or magazine interviews on various issues relating to the AWA. These included interviews with CNN, NBC's Dateline, ABC's 20/20, the Chicago Tribune, and The Wall Street Journal. Outreach efforts also included interviews with local media outlets in all 50 States and several foreign countries.

## ***AWIC Focuses on Educational Efforts***

In FY 1999, staff from the Animal Welfare Information Center (AWIC) responded to about 18,000 requests for information and publications, including copies of the AWIC Newsletter, and distributed more than 38,000 published documents to requesters. The AWIC Newsletter was published twice in FY 1999 and sent to its 7,500 subscribers in the United States and 38 foreign countries.

AWIC's Website ([www.nal.usda.gov/awic](http://www.nal.usda.gov/awic)) underwent many changes in FY 1999. The site and its subject areas were restructured, and many documents and new links were added. The average number of hits per month grew from about 17,000 in October 1998 to more than 30,000 in September 1999.

AWIC also trained 224 individuals in its workshop entitled "Meeting the Information Requirements of the Animal Welfare Act," which is held at the National Agricultural Library in Beltsville, MD, and at other locations throughout the country. AWIC

continues to develop materials for the online tutorial that provides access to the workshop to more regulated parties.

AWIC participated in two projects involving environmental enrichment for nonhuman primates. An AWIC representative served on the committee that wrote a report on requirements for promoting the psychological well-being for nonhuman primates. The report was the basis for the draft policy on environmental enhancement plans for facilities with nonhuman primates. (For further information on the draft policy published on environmental enhancement plans, see page 24.) AWIC also worked with USDA, the National Institutes of Health, and the Office for the Protection From Research Risks to provide information, as directed by Congress, on environmental enrichment for nonhuman primates. The group revised a previous document on the subject and published the Environmental Enrichment for Nonhuman Primates Resource Guide, January 1992–

February 1999. This greatly expanded document includes U.S. laws, regulations, organizations, Websites, primate centers and animal colonies, relevant listservers, product suppliers, audiovisuals, journals and newsletters, and an updated bibliography on the topic.

AWIC officials interacted with about 850 people who visited their booth at various conferences, and more than 700 people attended presentations about AWIC's services and how to conduct searches for alternatives to painful research procedures.

AWIC staff also produced four new publications on various aspects of animals care. These publications concern Websites for biomedical, pharmaceutical, veterinary, and animal science resources; information resources for livestock and poultry handling and transport; symposium proceedings on historical perspectives and future directions of the AWA; and information resources for institutional animal care and use committees.

## ***Liaison With Other Federal Agencies***

AC serves on the Interagency Research Animal Committee, whose members come from Federal agencies involved in the care and use of animals in biomedical research. This committee is responsible for interagency coordination of animal care-and-use concerns and for making contributions to policy development. It also acts as a forum for information exchange and regulation development.

AC also maintains close working relationships with other Federal agencies that deal with animals on regulation and enforcement of the AWA. APHIS cooperated on numerous issues with the U.S. Department of Health and Human Services' National Institutes of Health, CDC, and Food and Drug Administration; the

Department of Defense; the Department of Veterans Affairs; the Marine Mammal Commission; the U.S. Department of Commerce's National Marine Fisheries Service; the U.S. Department of the Interior's FWS; and the Environmental Protection Agency.

## REGULATORY AND POLICY INITIATIVES

### ***Decisions on "Doris Day Petition Published***

In July 1999, AC published its decision and policy on changes in licensing requirements for dogs and cats, based on a petition from the Doris Day Animal League filed in 1997. More than 48,000 comments on these issues were received. USDA's decided to not amend the AWA definition of "retail pet store" but did decide to require that wholesale dealers of hunting, security, and breeding dogs be licensed. Both of these changes were contained in the Doris Day Animal League Petition that AC published as a notice in the Federal Register in FY 1997.

Recognizing that these rule changes could severely strain available AWA enforcement resources by adding numerous new licensees, AC raised the possibility of increasing the number of breeding female dogs and cats that may be owned without obtaining an AWA license. USDA decided to not change these numbers partly because many currently licensed facilities, who would have no other oversight mechanism, would have become exempt. USDA determined that exempting some wholesale facilities in order to provide oversight at some retail outlets would not be in the best interest of animal welfare.

### ***Comments Received on Rats, Mice, and Birds Petition***

In spring 1998, the Alternative Research and Development Foundation, a group affiliated with the American Antivivisection Society, filed a petition that would have USDA exercise its authority under the AWA to regulate rats, mice, and birds. To do so, AC would have to amend the AWA regulations to include these species under the regulatory definition of "animal."

Bringing these species under the protection of the AWA would significantly increase AC's regulatory responsibilities and affect oversight of other program activities (e.g., inspections of dog dealers and animal exhibitors).

In January 1999, AC published the petition in the *Federal Register* to solicit public input on whether rats, mice, and birds should be regulated and, if so, how the increased workload should be prioritized. In March 1999, the comment period was extended through May 28, 1999. By the end of FY 1999, AC had received more than 34,000 comments and was still reviewing them. AC also commissioned a study by the Federal research division of the Library of Congress to determine the potential number of additional facilities that might need to be regulated. This study and the decision on whether or not to cover these species under the AWA are still pending.

### ***Comments Received on Environmental Enrichment Policy***

During FY 1998 and 1999, AC worked to finalize its long-awaited policy on environmental enrichment for nonhuman primates. In September 1999, AC published the draft policy and requested public comments to consider prior issuing a final policy. More than 230 comments were received.

The policy, which will serve as a resource for inspectors and regulated parties, will complement the National Research Council's fall 1998 publication on this same issue. The goal is to use both documents to best attain enrichment for primates as mandated by the 1985 amendment to the AWA.

## ***More Comments Received on Training and Handling of Dangerous Animals***

On December 12, 1997, AC closed the extended comment period on its request for information concerning current "best" practices for the training and handling of potentially dangerous wild and exotic animals. Among other things, the notice sought input on suggested experience requirements for animal handlers and trainers, as well as on contingency plans for the recapture of escaped or uncontrollable animals. More than 400 comments were submitted.

During FY 1999, AC personnel drafted policy on this issue, based on the comments reviewed in FY 1998. When completed and approved, a notice of the draft policy will be published in the Federal Register to allow for public comment prior to the policy's issuance in final form.

## ***Perimeter Fencing Final Rule Completed***

At the end of FY 1999, AC completed its final rule on perimeter fencing requirement for animals covered under the AWA, with emphasis on wild and exotic animals. The rule does not apply to nonhuman primates, which are already covered under subpart D of the AWA regulations. In general, the rule would require a perimeter fence at least 6 feet high for most animals and 8 feet high for dangerous animals, such as elephants, bears, and large cats. All requirements are designed to better contain the animals and to keep out unwanted animals.

## ***Work Progresses on Swim-With-the-Dolphins Rule***

APHIS published a final rule that establishes new requirements for "swim-with-the-dolphins" programs. The new rule includes requirements that facilities maintain three separate pool areas: an interactive area, a buffer zone, and a sanctuary where the dolphins can swim free of public contact. In early FY 1999, based on the nature of shallow-water interactive or wading programs, AC suspended the attendant-to-participant ratio requirements and the interactive space requirements for wading programs. In April 1999, because of other considerations, APHIS suspended enforcement of the rule overall and solicited additional comments to evaluate the appropriateness of the rule given the extensive evolution of swim-with-the-dolphin programs in recent years. AC plans to propose amendments to the rule in FY 2000 that are more supportable based on existing scientific data and more appropriate to the nature of existing programs, including the wading programs.



## **Policies Completed**

At the end of FY 1999, the following policies had been issued in addition to those mentioned above:

- Necropsy requirements
- Criteria for licensing hoofstock dealers
- Adequate enclosures for flying species and aquatic species
- Proper diets for large felids
- Regulation of agricultural animals
- Capture methods for prairie dogs
- Licensing sales of dead animals
- Annual report for research facilities (revision)

## **Additional Policies Near Completion**

At the end of FY 1999, AC was preparing to publish additional AWA policies:

- Space and exercise requirements for traveling exhibitors
- Veterinary care (revision to include "Health Records" section)
- Guidelines for farm animals used in nonagricultural purposes

## ***Listing of Other Regulatory Initiatives***

Several additional regulatory initiatives were also under development at the end of FY 1999. Below is a listing of the initiatives not discussed in detail earlier in this section. The items are listed as either under consideration and not yet published in the *Federal Register*, published in the *Federal Register* and open for comment, or previously open for comment and now under review by the Department.

### ***Affirmation of Interim Rules:***

Resting surfaces for dogs and cats (completed)

### ***Proposed Rules:***

- Licensing requirements for dogs and cats (under consideration)
- Identification of unweaned puppies and kittens (under consideration)
- Amendment of the definition of "exhibitor" (under consideration)
- Exotic canids and felids: minimum age for transport (under consideration)
- Veterinary medical records (under consideration)
- Incorporation of American Veterinary Medical Association standards for euthanasia (under consideration)

### ***Final Rules:***

- Acclimation certificates for dogs and cats (under review)
- Standards for marine mammals: consensus language (under consideration)
- Clarifying definition of "field study" (under review)

# GLOSSARY OF TERMS

**Airport inspection**—Individual airline inspections of terminal, cargo, and baggage areas made at airports for compliance with the AWA regulations and standards.

**Alleged violation**—A violation of the AWA regulations or standards that has been documented as existing but has not been legally concluded.

**Carrier**—The operator of any airline, railroad, motor carrier, shipping line, or other enterprise that is engaged in the business of transporting any animals for hire.

**Commerce**—Trade, traffic, or transportation that is between a place in a State and any place outside of such State (including foreign countries), or between points within the same State but through any place outside of the State.

**Complaints**—(1) A civil or administrative complaint informs the alleged violator of the AWA about allegations charged against him/her. (2) A public complaint is information received from citizens, humane groups, or others concerning possible violations of the AWA, regulations, or standards at animal facilities.

**Compliance**—The status of a facility that meets all of the regulatory requirements set forth in the AWA regulations and standards.

**Dealer**—Any person who, in commerce, for compensation or profit, delivers for transportation, or transports (except as a carrier), buys, or sells, or negotiates the purchase or sale of (1) any dog or other animal whether alive or dead (including unborn animals, organs, limbs, blood, serum, or other parts) for research, teaching, testing, experimentation, exhibition, or for use as a pet; or (2) any dog for hunting, security, or breeding purposes. The term dealer does not include a retail pet store unless such store

sells any animals to a research facility, an exhibitor, or to a dealer (wholesale); or any person who does not sell, or negotiate the purchase or sale, of any wild or exotic animal, dog, or cat and who derives no more than \$500 gross income from the sale of animals, dogs, or cats, during any calendar year.

**Enforcement**—The activities undertaken by USDA and APHIS AC and IES personnel to ensure that the AWA's regulations and standards are met. Enforcement includes developing alleged violation cases and taking action in the form of Letters of Warning, warning tickets, stipulations, administrative complaints, hearings, trials, and other legal procedures and methods to obtain compliance.

**Exhibitor**—Any person (public or private) exhibiting any animals which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation. Exhibitors include carnivals, circuses, animal acts, zoos, and educational exhibits, whether exhibiting for profit or not. The term exhibitor excludes most retail pet stores, horse and dog races, organizations sponsoring, and all persons participating in State and county fairs, livestock shows, rodeos, field trials, coursing events, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences.

**Facility**—A facility is the holder of the license or registration. Each facility may have only one license or registration number but may be physically divided into two or more sites.

## Inspections

• **Attempted inspection**—An inspection that could not be completed, including those where representatives of the inspected entities were not onsite or transportation facilities were found to have no animals present.

- **Compliance inspection**—An unannounced inspection completed, after licensing or registration, to determine the facility's compliance with the AWA regulations and standards. Compliance inspections include reinspections.
- **Prelicensing or Preregistration inspection**—An announced inspection made, after application for licensure or registration has been submitted, to ascertain compliance with the AWA regulations and standards prior to licensing or registering the facility. Prelicensing inspections are required. Preregistration inspections, although not required, are often performed upon request of the facility.
- **Reinspection**—An inspection made specifically to follow up on one or more violations documented during a compliance inspection.

**Intermediate handler**—Any person who is engaged in any business receiving custody of animals in connection with their transportation in commerce. This definition excludes dealers, research facilities, exhibitors, operators of auction sales, and carriers.

**Investigation**—Inquiries and examination of allegation(s) that a person or facility is not complying with the AWA or its regulations or standards.

## License classes

- **A Class A licensee** is anyone meeting the definition of "dealer" whose business consists only of animals that are bred and raised on the premises in a closed or stable colony and those animals acquired for the sole purpose of maintaining or enhancing the breeding colony.

- A *Class B licensee* is anyone meeting the definition of a "dealer" whose business includes the purchase and/or resale of any animal. Class B licensees include brokers and operators of auction sales, as such individuals negotiate or arrange for the purchase, sale, or transport of animals in commerce.
- A *Class C licensee* is anyone meeting the definition of an "exhibitor" whose business involves the showing or displaying of animals to the public.

**Random source dogs and cats**—Animals acquired from animal pounds and shelters, auction sales, or from any person who did not breed and raise the animals on his or her premises.

**Registrant**—Any research facility, carrier, intermediate handler, or exhibitor whose primary business is not required to be licensed by the AWA. If a registered facility conducts an activity that requires a license, then it will also be licensed for that activity. For example, some research facilities have a dealer license in addition to their registration because they occasionally sell surplus animals to other research facilities.

**Research facility**—Any school (other than elementary or secondary), institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that (1) purchases or transports live animals in commerce or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments.

- An *active registered research facility* is a USDA-registered research facility that currently utilizes animals covered by the AWA for teaching, testing, or experimentation.
- An *inactive registered research facility* is a USDA-registered research facility that currently does not utilize animals covered by the AWA for teaching, testing, or experimentation.

**Retail pet store**—Any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, coldblooded species, and other common small pets. Retail pet stores do not include any establishment or persons who (1) deal in dogs used for hunting, security, or breeding purposes; (2) exhibit, sell, or offer to exhibit or sell, any wild or exotic or other nonpet species of warmblooded animals (except birds) such as skunks, raccoons, nonhuman primates, squirrels, ocelots, foxes, coyotes, etc.; (3) sell warmblooded animals (except birds and laboratory rats and mice) for research or exhibition purposes; (4) wholesale any animals (except birds and laboratory rats and mice); or (5) exhibit pet animals in a room that is separate from or adjacent to the retail pet store, or in an outside area, or anywhere off the retail pet store premises.

**Search**—Activity associated with finding unlicensed or unregistered entities.

**Site**—All regulated components of a licensed or registered facility within the same geographical location, typically within a 35-mile radius.

**Stipulation**—An agreement by a violator to accept assessment of a civil penalty, license suspension, or combination of both. The stipulation procedure is used instead of formal administrative hearings. Alleged violators are offered the opportunity to waive a hearing by agreeing to enter into a stipulation, in which case they will pay a specified civil penalty and/or have their license suspended for a specified period.

**Violation**—An area or item, at a registered or licensed facility, found to be out of compliance with the regulations or standards of the AWA.

# APPENDIX

**TABLE 1. NUMBER OF LICENSEES AND REGISTRANTS,  
BY FACILITIES AND NUMBER OF SITES (FY 1999)**

	Registered intermediate handlers		Registered carriers		Licensed Class A dealers		Licensed Class B dealers		Licensed exhibitors		Registered exhibitors		Active research facilities		Inactive research facilities	
	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites
<b>Total United States</b>	276	432	86	893	2,986	3,039	1,085	1,169	2,276	2,702	17	19	1,199	1,594	33	50
Alabama	2	1	0	14	7	7	14	14	34	38	0	0	13	13	0	0
Alaska	3	1	4	14	0	0	0	0	7	7	0	0	4	4	0	0
Arizona	10	14	2	8	6	6	7	8	29	33	0	0	10	11	0	0
Arkansas	0	0	0	20	149	151	26	30	26	32	0	0	11	11	0	0
California	38	57	8	116	17	16	23	22	229	306	0	0	171	175	10	15
Colorado	7	10	2	11	8	8	6	6	28	30	0	0	21	22	2	2
Connecticut	6	10	0	9	0	0	7	10	37	39	0	0	18	22	0	0
Delaware	0	0	0	0	0	0	2	2	5	4	0	0	9	8	0	0
Dist. of Columbia	0	1	0	2	0	0	0	0	0	0	0	0	5	5	1	1
Florida	22	32	4	44	31	40	61	65	240	335	1	1	20	29	4	5
Georgia	12	15	3	9	20	21	10	12	47	54	2	2	15	43	0	0
Guam	1	2	0	1	0	0	0	0	1	2	0	0	0	0	0	0
Hawaii	21	21	5	32	0	0	0	0	16	19	0	0	2	2	0	0
Idaho	0	0	0	6	1	1	3	3	16	17	0	0	4	5	0	0
Illinois	11	14	1	12	44	44	37	39	136	149	2	2	38	38	0	0
Indiana	3	7	1	12	36	36	37	38	68	73	0	0	20	23	0	1
Iowa	0	3	1	26	280	287	59	60	37	42	0	0	17	44	0	0
Kansas	0	0	1	10	380	381	70	75	23	26	0	0	17	27	1	1
Kentucky	5	14	1	18	9	10	9	9	15	17	1	1	8	25	0	0
Louisiana	1	1	0	8	12	11	11	11	16	18	0	0	13	18	0	0
Maine	3	8	0	5	1	1	2	4	11	11	0	0	10	10	0	0
Maryland	5	14	0	17	6	6	8	9	19	23	0	0	39	46	0	0
Massachusetts	4	8	1	8	6	7	8	10	40	44	0	0	80	111	0	0
Michigan	5	14	3	37	13	16	31	39	82	89	4	4	32	38	0	0
Minnesota	1	3	2	13	71	73	37	35	54	58	2	2	25	33	0	0
Mississippi	0	0	0	0	5	5	4	4	11	11	0	0	6	6	0	0
Missouri	5	6	3	36	975	982	140	148	53	72	0	0	38	72	0	0
Montana	0	0	1	18	12	13	1	1	17	20	0	0	6	6	0	0
Nebraska	0	0	0	6	132	131	15	16	12	12	0	0	14	21	0	0
Nevada	3	6	2	10	3	3	9	9	53	62	0	0	2	2	0	0
New Hampshire	1	1	1	4	2	2	0	1	17	19	0	0	4	5	0	0
New Jersey	6	11	1	9	5	4	17	20	45	52	0	0	44	60	3	3
New Mexico	4	4	3	10	2	2	1	1	13	14	0	0	7	8	0	0
New York	18	25	4	39	22	23	33	35	112	130	0	0	89	103	1	2
North Carolina	6	12	2	22	12	11	22	27	31	37	0	0	24	56	0	2
North Dakota	1	1	0	23	24	25	3	4	14	18	0	0	3	3	0	0
Ohio	5	16	2	21	25	28	35	37	73	85	3	4	44	54	2	5
Oklahoma	1	3	0	14	326	327	52	54	25	26	0	0	17	23	2	3
Oregon	3	4	1	9	31	31	34	37	43	47	0	0	9	11	1	1
Pennsylvania	14	16	1	35	102	106	48	53	94	111	0	0	74	83	2	3
Puerto Rico	0	1	5	11	0	0	1	1	5	5	0	0	7	10	0	0
Rhode Island	1	2	0	2	0	0	1	1	8	9	0	0	6	7	0	0
South Carolina	1	2	0	10	8	10	4	4	17	18	0	0	10	19	0	0
South Dakota	0	0	0	23	83	83	15	17	16	19	0	0	6	9	0	0
Tennessee	3	6	2	23	11	11	11	13	31	36	0	0	17	17	1	2
Texas	19	31	4	65	76	82	112	122	173	214	0	0	81	131	0	0
Utah	3	4	2	10	1	0	1	1	11	12	0	0	8	8	0	0
Vermont	1	2	0	4	1	1	3	3	3	3	0	0	3	3	0	0
Virgin Islands	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	9	14	3	8	3	5	12	14	45	55	1	1	14	23	1	2
Washington	7	9	6	19	9	9	12	11	29	33	0	0	28	34	2	2
West Virginia	1	1	0	1	1	1	10	9	12	11	0	0	5	5	0	0
Wisconsin	3	4	4	8	17	21	21	25	96	103	1	2	28	49	0	0
Wyoming	0	0	0	0	1	1	0	0	1	1	0	0	3	3	0	0

**TABLE 2. ANIMALS USED IN RESEARCH (FY 1999)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,217,998	70,541	23,238	54,927	266,129	201,593	280,222	23,559	77,042	54,808	165,939
<b>Total research Federal agencies</b>	1,110,449	69,053	22,805	49,987	256,940	184,367	270,053	12,621	65,459	30,700	148,464
	107,549	1,488	433	4,940	9,189	17,226	10,169	10,938	11,583	24,108	17,475
Alabama	8,056	1,699	422	735	376	226	2,031	108	560	378	1,521
Alaska	544	17	6	0	0	0	0	0	0	0	521
Arizona	5,852	447	123	114	257	393	874	24	393	25	3,202
Arkansas	3,298	649	16	162	659	0	1,622	0	150	3	37
California	140,309	3,913	3,363	4,059	32,594	10,747	58,394	2,171	5,525	4,581	14,962
Colorado	9,025	633	243	15	2,445	1,662	1,429	507	161	165	1,765
Connecticut	10,852	976	153	567	1,387	1,342	2,961	2	422	111	2,931
Delaware	39,328	1,703	548	24	4,738	15,791	4,077	56	4,038	737	7,616
Dist. of Columbia	11,001	125	68	349	784	633	1,271	85	1,276	10	6,400
Florida	6,781	276	299	182	1,026	450	1,452	253	786	264	1,793
Georgia	26,994	1,182	469	3,545	1,162	4,232	10,829	21	1,236	365	3,953
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	215	0	2	11	70	10	51	0	30	15	26
Idaho	460	32	3	20	0	3	56	2	0	2	342
Illinois	35,671	2,928	705	908	8,615	3,731	8,867	447	3,744	881	4,845
Indiana	16,394	2,551	283	197	3,085	592	2,640	76	986	38	5,946
Iowa	65,660	2,052	2,213	32	7,021	40,915	5,792	885	3,269	2,572	909
Kansas	25,033	1,517	918	127	3,578	6,148	1,607	25	5,995	3,532	1,586
Kentucky	4,356	233	73	76	353	865	1,611	0	209	93	843
Louisiana	16,003	1,016	526	9,199	552	345	2,637	4	283	104	1,337
Maine	5,661	8	8	0	6	24	172	0	110	272	5,061
Maryland	62,793	942	681	5,317	15,317	13,007	10,707	598	2,765	374	13,085
Massachusetts	67,335	1,767	421	2,606	25,058	12,033	11,543	1,234	4,506	1,837	6,330
Michigan	30,839	3,832	910	1,292	11,854	1,111	5,937	248	274	236	4,695
Minnesota	17,352	2,128	428	190	4,829	838	4,437	670	2,676	362	794
Mississippi	1,482	317	37	98	4	277	243	16	217	67	206
Missouri	33,788	2,596	1,700	78	6,766	11,416	4,620	589	1,865	1,633	2,525
Montana	4,920	0	4	18	420	0	1,387	93	236	2,475	287
Nebraska	76,020	1,030	453	74	2,349	32,385	3,420	9,991	6,813	19,038	467
Nevada	6,517	372	0	2,197	1,750	0	162	354	200	17	1,465
New Hampshire	1,138	4	40	8	115	69	369	32	457	1	43
New Jersey	97,679	5,784	510	3,341	35,117	14,589	22,766	142	1,978	470	12,982
New Mexico	2,080	213	6	249	12	121	38	1	197	0	1,243
New York	50,200	4,782	1,397	2,121	10,006	8,331	6,585	561	1,900	487	14,030
North Carolina	34,662	1,896	871	1,657	10,318	1,116	9,818	291	2,900	1,879	3,916
North Dakota	696	26	24	0	40	0	6	180	403	19	0
Ohio	60,272	4,027	869	618	22,386	2,033	19,238	141	4,862	304	5,794
Oklahoma	3,939	1,076	138	78	674	229	448	35	94	437	730
Oregon	5,095	175	70	1,269	659	814	631	119	365	41	952
Pennsylvania	86,801	6,334	1,711	1,990	27,728	3,032	36,300	635	2,810	1,250	5,011
Puerto Rico	2,997	56	0	1,874	106	50	40	0	20	0	851
Rhode Island	2,863	43	82	2	62	374	319	168	332	302	1,179
South Carolina	5,657	196	57	247	205	144	470	1	1,020	18	3,299
South Dakota	4,681	56	56	2	26	52	220	80	137	4,004	48
Tennessee	9,084	789	161	285	1,117	1,081	2,787	100	1,436	447	881
Texas	45,561	2,731	996	3,379	7,804	3,104	17,078	891	2,660	2,424	4,494
Utah	5,903	316	60	20	509	509	600	189	112	64	3,524
Vermont	773	26	8	0	474	0	127	0	90	2	46
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	13,958	1,919	196	1,931	308	1,470	4,204	111	1,639	445	1,735
Washington	19,102	833	243	916	3,286	1,865	2,941	421	604	148	7,845
West Virginia	911	40	55	2	437	12	133	68	32	4	128
Wisconsin	30,863	4,234	596	2,746	7,673	3,411	4,249	922	3,814	1,776	1,442
Wyoming	542	44	17	0	12	11	26	12	5	99	316

**TABLE 3. ANIMALS USED IN RESEARCH, NO PAIN OR DISTRESS—  
NO DRUGS NEEDED FOR RELIEF (FY 1999)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	691,701	31,993	12,313	26,863	163,159	114,463	155,437	14,885	32,577	43,989	96,022
<b>Total research Federal agencies</b>	624,968	31,852	12,135	24,797	159,750	105,127	153,937	4,564	25,659	23,316	83,831
	66,733	141	178	2,066	3,409	9,336	1,500	10,321	6,918	20,673	12,191
Alabama	2,909	392	167	36	312	226	545	15	73	368	775
Alaska	280	0	6	0	0	0	0	0	0	0	274
Arizona	3,675	153	0	76	226	165	331	3	145	0	2,576
Arkansas	2,652	574	0	160	596	0	1,235	0	50	0	37
California	84,744	1,332	1,849	1,419	23,615	3,689	38,742	599	1,536	3,575	8,418
Colorado	4,477	325	243	0	765	873	879	141	43	74	1,134
Connecticut	4,362	314	24	49	658	225	1,368	1	88	105	1,530
Delaware	24,258	1,077	444	19	1,055	13,758	2,080	56	3,680	685	1,404
Dist. of Columbia	7,127	16	0	207	382	146	342	0	5	0	6,029
Florida	4,003	99	109	81	888	289	672	114	110	61	1,580
Georgia	3,444	409	158	122	172	562	435	21	114	310	1,141
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	52	0	2	0	26	0	3	0	0	0	21
Idaho	176	3	0	0	0	3	39	2	0	2	127
Illinois	19,068	981	340	366	6,545	1,572	5,546	342	2,385	692	299
Indiana	10,279	1,100	196	125	1,709	350	1,783	6	568	36	4,406
Iowa	39,144	669	1,485	0	4,740	26,467	365	632	2,078	2,415	293
Kansas	13,427	1,278	770	0	503	266	117	20	5,857	3,420	1,196
Kentucky	526	8	0	0	205	0	0	0	0	33	280
Louisiana	6,386	158	84	5,518	65	345	166	0	18	14	18
Maine	5,463	0	0	0	6	24	172	0	26	261	5,000
Maryland	25,294	151	63	2,428	5,365	8,742	4,405	303	782	127	2,928
Massachusetts	31,954	311	18	884	16,772	4,954	3,433	493	462	353	4,274
Michigan	16,026	2,127	301	983	6,180	405	2,949	54	2	69	2,956
Minnesota	8,009	252	62	50	4,260	346	1,999	34	436	232	338
Mississippi	541	159	3	18	4	3	41	16	64	59	174
Missouri	17,384	1,555	1,461	16	4,601	2,936	3,006	383	1,171	1,297	958
Montana	4,335	0	4	18	218	0	1,336	21	0	2,454	284
Nebraska	61,813	523	314	65	1,890	22,248	2,767	9,752	5,863	18,088	303
Nevada	5,373	308	0	1,861	1,554	0	131	3	49	2	1,465
New Hampshire	93	0	0	0	38	0	33	0	0	0	22
New Jersey	63,557	3,330	289	1,505	21,868	11,495	14,626	142	219	377	9,706
New Mexico	1,556	107	6	80	12	121	12	0	6	0	1,212
New York	22,518	2,311	628	1,233	3,917	4,270	1,985	11	164	152	7,847
North Carolina	19,272	906	474	253	7,474	574	6,690	49	808	140	1,904
North Dakota	396	14	24	0	0	0	5	0	350	3	0
Ohio	41,076	2,074	279	424	20,142	900	14,700	17	518	120	1,902
Oklahoma	2,040	305	66	1	402	172	103	30	18	385	558
Oregon	1,835	52	12	181	1	619	33	26	4	26	881
Pennsylvania	57,038	3,490	1,371	1,314	15,424	719	28,267	222	967	914	4,350
Puerto Rico	1,930	0	0	950	106	12	40	0	20	0	802
Rhode Island	1,227	0	0	0	0	237	48	0	0	0	942
South Carolina	3,118	29	7	0	1	0	156	0	45	0	2,880
South Dakota	4,410	17	47	0	12	52	188	80	36	3,946	32
Tennessee	2,224	0	0	0	0	0	0	0	125	0	0
Texas	23,836	1,468	686	2,300	4,896	1,227	7,609	230	576	1,244	3,600
Utah	4,028	42	13	0	0	222	154	10	84	0	3,503
Vermont	543	1	2	0	443	0	49	0	0	2	46
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	5,699	807	38	1,256	274	120	1,873	69	207	227	828
Washington	7,020	217	99	689	114	1,745	698	236	223	91	2,908
West Virginia	138	0	0	0	50	12	22	0	0	4	50
Wisconsin	20,596	2,483	136	2,133	4,528	2,503	2,905	742	2,644	1,574	948
Wyoming	340	18	0	0	2	11	5	10	5	38	251

**TABLE 4. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
DRUGS USED FOR RELIEF (FY 1999)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	418,774	37,509	10,734	27,181	66,268	41,125	112,008	8,618	43,195	9,682	62,454
<b>Total research</b>	383,852	36,220	10,479	24,572	63,162	34,795	103,642	8,022	39,104	6,294	57,562
<b>Federal agencies</b>	34,922	1,289	255	2,609	3,106	6,330	8,366	596	4,091	3,388	4,892
Alabama	5,147	1,307	255	699	64	0	1,486	93	487	10	746
Alaska	264	17	0	0	0	0	0	0	0	0	247
Arizona	2,177	294	123	38	31	228	543	21	248	25	626
Arkansas	464	3	16	0	53	0	297	0	92	3	0
California	47,616	2,506	1,514	2,603	3,299	7,058	19,543	1,572	3,832	250	5,439
Colorado	2,376	308	0	0	464	375	467	359	118	91	194
Connecticut	5,464	568	123	275	188	1,117	1,451	1	334	6	1,401
Delaware	12,572	595	72	5	3,683	13	1,928	0	358	52	5,866
Dist. of Columbia	3,551	109	68	115	188	447	918	85	1,257	10	354
Florida	2,696	177	190	101	138	161	698	139	676	203	213
Georgia	16,139	755	311	3,380	894	3,438	3,414	0	1,122	55	2,770
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	150	0	0	11	31	10	48	0	30	15	5
Idaho	273	29	3	20	0	0	6	0	0	0	215
Illinois	15,043	1,876	365	534	1,245	2,104	3,052	80	1,321	98	4,368
Indiana	5,569	1,403	87	70	1,376	242	820	70	418	2	1,081
Iowa	11,299	1,339	673	32	2,048	161	5,427	232	661	110	616
Kansas	4,201	236	148	127	1,814	364	867	5	138	112	390
Kentucky	3,830	225	73	76	148	865	1,611	0	209	60	563
Louisiana	9,617	858	442	3,681	487	0	2,471	4	265	90	1,319
Maine	198	8	8	0	0	0	0	0	110	11	61
Maryland	33,346	759	618	2,816	6,806	4,020	5,876	292	1,973	247	9,939
Massachusetts	31,837	1,434	323	1,722	7,586	4,579	8,104	741	3,832	1,460	2,056
Michigan	11,070	1,634	609	280	3,036	706	2,744	194	722	21	1,124
Minnesota	8,973	1,876	366	140	569	492	2,068	636	2,240	130	456
Mississippi	941	158	34	80	0	274	202	0	153	8	32
Missouri	8,644	1,031	239	62	531	2,421	1,557	206	694	336	1,567
Montana	585	0	0	0	202	0	51	72	236	21	3
Nebraska	4,463	507	139	9	430	456	653	239	950	950	121
Nevada	1,136	60	0	336	196	0	31	351	147	15	0
New Hampshire	834	4	40	8	77	69	125	32	457	1	21
New Jersey	27,969	2,264	221	1,714	11,675	782	6,327	0	1,759	93	3,134
New Mexico	524	106	0	169	23	0	26	1	191	0	31
New York	23,874	2,377	766	808	4,409	2,387	4,567	550	1,736	335	5,939
North Carolina	12,998	988	397	1,404	794	533	2,996	242	1,913	1,719	2,012
North Dakota	302	12	20	0	40	0	1	180	53	16	0
Ohio	18,292	1,936	590	194	1,506	1,133	4,463	124	4,344	184	3,818
Oklahoma	1,899	771	72	77	272	57	345	5	76	52	172
Oregon	3,260	123	58	1,088	658	195	598	93	361	15	71
Pennsylvania	20,669	2,776	325	629	3,898	2,012	7,802	413	1,843	336	635
Puerto Rico	1,067	56	8	924	38	0	2	0	0	0	49
Rhode Island	1,605	43	82	2	62	137	240	168	332	302	237
South Carolina	2,539	167	50	247	204	144	314	1	975	18	419
South Dakota	130	39	9	2	14	0	32	0	13	5	16
Tennessee	6,811	692	128	242	974	223	2,438	100	1,332	433	249
Texas	20,461	1,239	310	961	2,821	1,210	9,137	661	2,054	1,180	888
Utah	1,870	274	47	15	509	287	446	179	28	64	221
Vermont	199	25	6	0	0	0	78	0	90	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	8,227	1,112	158	643	34	1,350	2,331	42	1,432	218	907
Washington	5,736	616	144	227	234	120	2,243	185	381	57	1,529
West Virginia	773	40	55	2	387	0	111	68	32	0	78
Wisconsin	8,892	1,751	460	613	2,183	908	1,034	180	1,170	202	391
Wyoming	202	26	17	0	10	0	21	2	0	61	65

**TABLE 5. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
NO DRUGS USED FOR RELIEF (FY 1999)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	107,523	1,039	191	883	36,702	46,005	12,777	56	1,270	1,137	7,463
<b>Total research Federal agencies</b>	101,629	981	191	618	34,028	44,445	12,474	35	696	1,090	7,071
	5,894	58	0	265	2,574	1,560	303	21	574	47	392
Alabama	0	0	0	0	0	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0	0	0	0	0
Arizona	0	0	0	0	0	0	0	0	0	0	0
Arkansas	182	72	0	2	10	0	90	0	8	0	0
California	7,919	75	0	37	5,680	0	109	0	157	756	1,105
Colorado	2,172	0	0	15	1,216	414	83	7	0	0	437
Connecticut	1,026	94	0	243	541	0	142	0	0	0	0
Delaware	2,498	31	32	0	0	2,020	69	0	0	0	346
Dist. of Columbia	323	0	0	27	214	40	11	0	14	0	0
Florida	82	0	0	0	0	0	82	0	0	0	0
Georgia	7,411	18	0	43	96	232	6,980	0	0	0	42
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	13	0	0	0	13	0	0	0	0	0	0
Idaho	11	0	0	0	0	0	11	0	0	0	0
Illinois	1,560	71	0	8	825	55	269	25	38	91	178
Indiana	546	48	0	2	0	0	37	0	0	0	459
Iowa	15,217	44	55	0	233	14,287	0	21	530	47	0
Kansas	7,405	3	0	0	1,261	5,518	623	0	0	2	0
Kentucky	0	0	0	0	0	0	0	0	0	0	0
Louisiana	0	0	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0
Maryland	4,153	32	0	73	3,146	245	426	3	10	0	218
Massachusetts	3,544	22	80	0	700	2,500	6	0	212	24	0
Michigan	3,743	71	0	29	2,638	0	244	0	0	146	615
Minnesota	370	0	0	0	0	0	370	0	0	0	0
Mississippi	0	0	0	0	0	0	0	0	0	0	0
Missouri	7,760	10	0	0	1,634	6,059	57	0	0	0	0
Montana	0	0	0	0	0	0	0	0	0	0	0
Nebraska	9,744	0	0	0	29	9,672	0	0	0	0	43
Nevada	8	4	0	0	0	0	0	0	4	0	0
New Hampshire	211	0	0	0	0	0	211	0	0	0	0
New Jersey	6,153	190	0	122	1,574	2,312	1,813	0	0	0	142
New Mexico	0	0	0	0	0	0	0	0	0	0	0
New York	3,808	94	0	80	1,680	1,674	33	0	0	0	244
North Carolina	2,392	2	0	0	2,050	9	132	0	179	20	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0
Ohio	904	17	0	56	738	0	75	0	0	0	74
Oklahoma	0	0	0	0	0	0	0	0	0	0	0
Oregon	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania	9,094	68	15	47	8,406	301	231	0	0	0	26
Puerto Rico	0	0	0	0	0	0	0	0	0	0	0
Rhode Island	31	0	0	0	0	0	31	0	0	0	0
South Carolina	0	0	0	0	0	0	0	0	0	0	0
South Dakota	141	0	0	0	0	0	0	0	88	53	0
Tennessee	49	49	0	0	0	0	0	0	0	0	0
Texas	1,264	24	0	118	87	667	332	0	30	0	6
Utah	5	0	0	5	0	0	0	0	0	0	0
Vermont	31	0	0	0	31	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	32	0	0	32	0	0	0	0	0	0	0
Washington	6,346	0	0	0	2,938	0	0	0	0	0	3,408
West Virginia	0	0	0	0	0	0	0	0	0	0	0
Wisconsin	1,375	0	0	0	962	0	310	0	0	0	103
Wyoming	0	0	0	0	0	0	0	0	0	0	0

**TABLE 6. NUMBER OF ANIMALS USED BY RESEARCH FROM THE FIRST REPORTING YEAR (1973) TO THE PRESENT**

FY	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Farm animals	Other covered animals	Totals
1973	195,157	66,195	42,298	408,970	454,986	447,570		38,169	1,653,345
1974	199,204	74,259	51,253	430,439	430,766	425,585		81,021	1,692,527
1975	154,489	51,439	36,202	436,446	456,031	448,530		42,523	1,625,660
1976	210,330	70,468	50,115	486,310	503,590	527,551		73,736	1,922,100
1977	176,430	62,311	53,116	348,741	393,533	439,003		46,535	1,519,669
1978	197,010	65,929	57,009	419,341	414,394	475,162		58,356	1,687,201
1979	211,104	69,103	59,359	457,134	419,504	539,594		76,247	1,832,045
1980	188,783	68,482	56,024	422,390	405,826	471,297		49,102	1,661,904
1981	188,649	58,090	57,515	432,632	397,522	473,922		50,111	1,658,441
1982	161,396	49,923	46,388	459,246	337,790	453,506		69,043	1,577,292
1983	174,542	53,344	54,926	485,048	337,023	466,810		108,549	1,680,242
1984	201,936	56,910	55,338	561,184	437,123	529,101		232,541	2,074,133
1985	194,905	59,211	57,271	598,903	414,460	544,621		284,416	2,153,787
1986	176,141	54,125	48,540	462,699	370,655	521,773		144,470	1,778,403
1987	180,169	50,145	61,392	538,998	416,002	554,385		168,032	1,969,123
1988	140,471	42,271	51,641	431,457	331,945	459,254		178,249	1,635,288
1989	156,443	50,812	51,688	481,712	389,042	471,037		153,722	1,754,456
1990	109,992	33,700	47,177	352,627	311,068	399,264	66,702	257,569	1,578,099
1991	107,908	34,613	42,620	378,582	304,207	396,046	214,759	363,685	1,842,420
1992	124,161	38,592	55,105	375,063	369,585	431,432	210,936	529,308	2,134,182
1993	106,191	33,991	49,561	392,138	318,268	426,501	165,416	212,309	1,704,505
1994	101,090	32,610	55,113	360,184	298,934	393,751	180,667	202,300	1,624,649
1995	89,420	29,569	50,206	333,379	248,402	354,076	163,985	126,426	1,395,463
1996	82,420	26,035	52,327	299,011	246,415	338,574	154,344	146,579	1,345,739
1997	75,429	26,091	56,381	272,797	217,079	309,322	159,742	150,987	1,267,828
1998	76,071	24,712	57,377	261,305	206,243	287,523	157,620	142,963	1,213,814
1999	70,541	23,238	54,927	266,129	201,593	280,222	155,409	165,939	1,217,998